United Nations S/2013/413

Security Council

Distr.: General
12 July 2013

Original: English

Part 2 of 3

Pgs 176-308

13-36185 (E) 150713
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Annex 5.2.c: Letter of Request for PWC Funds from MOF Halane

Jamhuuriyadda Soomaaliya
Xukuumadda Federaaliga KMG ah
Wasaaradda Maaliyadda

جمهورية الصومالية
الحكومة الاتحادية الفيدرالية
وزارة المالية

TRANSITIONAL FEDERAL GOVERNMENT OF THE SOMALI REPUBLIC
Ministry of Finance and Treasury

Ref MoF/OM/88/2011 Date: 28/04/2011

Alphan Nejeru
PriceWaterHouseCoopers Limited
The Rahimtulla Tower
Upper Hill Road
Nairobi, Kenya

April 28th, 2011

Dear Mr. Njeru,

This letter is to request that the funds from Algerian Government by way of the Arab League in the amount of Ten Million USD ($10,000,000) is budgeted and will be spent according to the attached "ARAB LEAGUE FUNDING PROGRAM AND SPEDNIGN PLAN"

Further, to this instruction that the funds will be transferred in instalments to the Central Bank of Somalia in Mogadishu in an account under the name of the Ministry of Finance for meeting reoccurring government expenses. The budget is attached and the required accounting will be sent to PWC in quarterly and annual report format.

This request of $4 million US dollars represents the first instalment and is immediately needed for funding the government and shouldn't be delayed. Your assistance is highly appreciated by the Somali government and people. If you have questions concerning this matter please don't hesitate to contact me or Dr. Abdusalam Omer.

Sincerely,

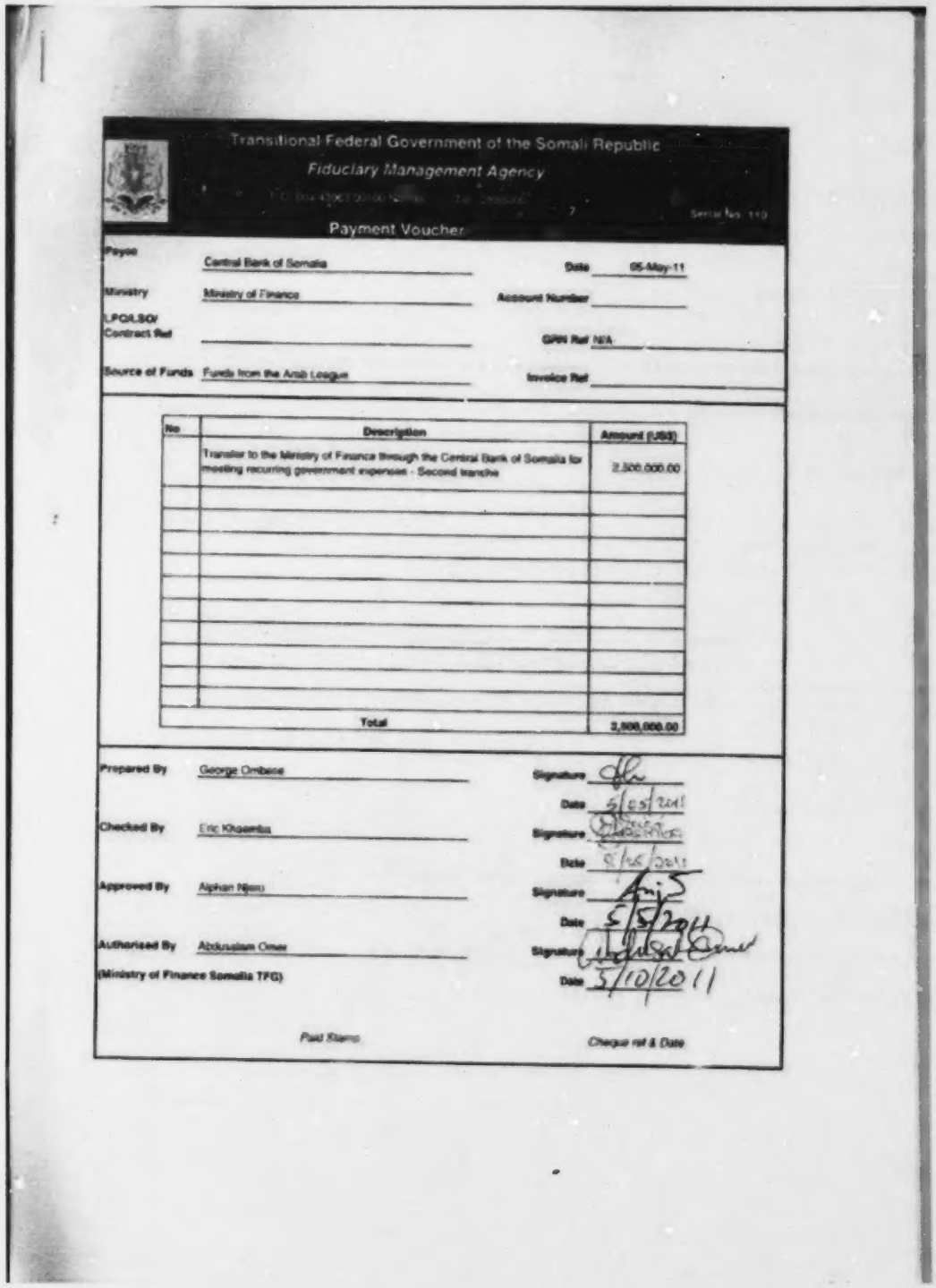
Hussein Halane
Minister of Finance

CC: H.E. Mohamed [illegible] Prime Minister

TRANSITIONAL FEDERAL GOVERNMENT OF THE SOMALI REPUBLIC MINISTRY OF FINANCE & TREASURY

Jirdeh Hussein Building Opp. Hawaiahn Statue, Makka Al Mukaramah Rd. Hawaiahn, Mogadishu
Tel. +2525 9000207/4, +2525 5537681 E-mail: and somalia@gmail.com

Annex 5.2.d: PWC Payment Voucher for 5 May 2011



Transitional Federal Government of the Somali Republic

Fiduciary Management Agency

Payment Voucher

Payee: Central Bank of Somalia — Date: 05-May-11

Ministry: Ministry of Finance — Account Number:

LPOL/SOV Contract Ref: — GRN Ref: N/A

Source of Funds: Funds from the Arab League — Invoice Ref:

No	Description	Amount (US$)
	Transfer to the Ministry of Finance through the Central Bank of Somalia for meeting recurring government expenses - Second tranche	2,500,000.00
	Total	2,500,000.00

Prepared By: George Ombese — Signature: — Date: 5/05/2011

Checked By: Eric Khaemba — Signature: — Date: 5/05/2011

Approved By: Alphan Njau — Signature: — Date: 5/5/2011

Authorised By: Abdurasiam Omer — Signature: — Date: 5/10/2011

(Ministry of Finance Somalia TFG)

Paid Warrant — Cheque ref & Date

Annex 5.2.e: Confirmation of Cash Receipt on 16 May 2011

CONFIRMATION OF CASH RECEIPT

TO:

Head of Finance and Accounting
PWC
Nairobi

Manager
Al Amal Commercial Brokerage
Dubai

RECEIPT OF OPERATIONAL FUNDS AT CENTRAL BANK OF SOMALI (CBS) HEADQUARTERS IN MOQADISHU

We confirm the receipt of $2,025,000 cash from Jubba Group at the TFG Headquarters in Mogadishu

Confirmation signed by:

Name: Mr. Abdillahi Hagi
Position: Governor of Central Bank
Signature:

Name: Ms. Amina Sheikh Osman
Position: Director General of the Ministry of Finance
Signature:
Date: 16/5/2011

Witness

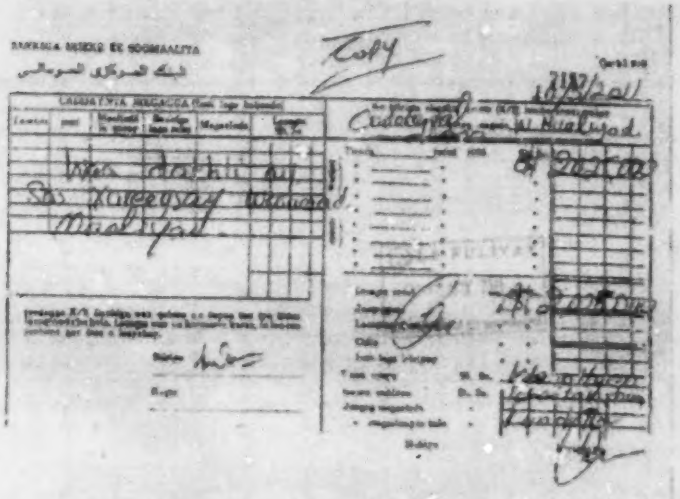
Name: Mohamed Omar Gedi — Signature:

Position: Operation Contactur Amal and TFG

Name: Ali Mohamed Barkhadle — Signature:

Position: PWC Representatives

Annex 5.2.f: Central Bank Deposit Slip Dated 16 May 2011



Annex 5.2.g: Letter from Minister of Finance Sharif Hassan to PWC

Jamhuuriyadda Soomaaliya
Xukuumadda Federaaliga KMG ah
Wasaaradda Maaliyadda

جمهورية الصومالية
الحكومة الانتقالية الفيدرالية
وزارة المالية

TRANSITIONAL FEDERAL GOVERNMENT OF THE SOMALI REPUBLIC
Office of the Deputy Prime Minister and Minister of Finance
Ministry of Finance

PricewaterhouseCoopers
Nairobi, Kenya

2009-10-27

Dear Mr. Njeru,

In reference to the Prime Minister's letter Hon. Omar A. A. Sharmarke dated October 25, 2009 and addressed to you, I wish to authorize our senior advisor Dr. Abdusalam Omer as a representative of TFG to receive 10% of administrative cost of the $500.000 contribution from the Chinese Government. Dr. Omer will pass 80% ($40,000) of the administrative cost to the Prime Minister's office to cover the cost associated with relevant projects. The remaining 20% ($10,000) will be used to support the work being done by the Senior Advisor to the Ministry of Finance, Dr. Abdusalam Omer.

I am available to you if you have any further question. Please don't hesitate to contact me at mof.somalia@gmail.com

Sincerely,

Sharif Hassan Sheikh Aden
Deputy Prime Minister/Minister of Finance

CC: Dr. Abdusalam Omer
Senior Advisor

Jirdeh Hassein Building Opp. Hawatake Statue, Makka-Al-Mukaramah Rd. Hawatake, Mogadishu
Tel. +2525 900820Tel. +2521 5587681 E-mail. mof.somalia@gmail.com

Annex 5.2.h: PWC Payment Voucher Dated 28 October 2009

Transitional Federal Government of the Somali Republic

Fiduciary Management Agency

P.O. Box 43963 00100 Nairobi Tel 2655000

Serial No:_001

Payment Voucher

Payee	Dr Abdusalam Omer	**Date**	28-Oct-09
Ministry	Ministry of Finance/ Office of the Prime minister	**Account Number**	
LPO/LSO/ Contract Ref	N/A	**GRN Ref**	N/A
Source of Funds	Chinese Government	**Invoice Ref**	Letter of 27/10/09

No	Description	Amount (US$)
1	10% Administrative cost of funds from the Chinese Government	
	- Administrative costs to the Office of the Prime Minister	40,000
	- Services rendered by Dr Omer to the Ministry of Finance	10,000
	Total	50,000

Prepared By	Daniel Mis	**Signature**	
		Date	28/10/2009
Checked By		**Signature**	28/10/09
		Date	
Approved By		**Signature**	
		Date	28/10/09
Authorised By	Abdusalam Omer	**Signature**	
(Ministry of Finance Somalia TFG)		**Date**	28/10/09

Paid Stamp

Cheque ref & Date

Annex 5.2.i: PWC Letter Authorizing Payment to Abdusalam Omer

PRICEWATERHOUSECOOPERS

PricewaterhouseCoopers Limited
The Rahimtulla Tower
Upper Hill Road
P.O.Box 43963
00100 Nairobi
Kenya
Telephone +254 (20) 285 5000
Facsimile +254 (20) 285 5001
www.pwc.com/ke

The Branch Manager
Standard Chartered Bank
Kenyatta Avenue Branch
Nairobi

RECEIVED 02 OCT 2009

28 October 2009

Subject: PwC Somalia TFG Reconstruction – CLIENT A/C

Dear Sir or Madam

Kindly debit our account number 87060229850-02 with USD 50,000 (United States Dollars Fifty thousands only) and transfer the amount to the bank account below by RTGS.

Beneficiary: ABUSALAM HADLIYEH OMER

Bank: FIRST COMMUNITY BANK

Branch: KIMATHI STREET

Account Number: 210101-105523-000

OKay to pay without exchange loss
For: STANDARD CHARTERED BANK KENYA LTD.
Manager, OCC Information ... 5th Floor
OK 5'43
27/10/09

Yours sincerely

Authorised Signatory

Authorised Signatory

JP

JP

Directors: V Agarwal# A Ephraim A Indias* B Kimotho P Kinoti G Maughling* C Muchene K Mutiso A Nanu P Nyanga S Okello B Okundi N Onyango
K Sait R Shah N Swai M Wilmerding* (*British #American)

Annex 5.2.j: PWC Payment Voucher for $400,000

Transitional Federal Government of the Somali Republic

Fiduciary Management Agency

P.O. Box 43093-00100 Nairobi Tel: 2865000

Serial No: 002

Payment Voucher

Payee	Daljir Trading & General Service	**Date**	28-Oct-09
Ministry	Ministry of Defence	**Account Number**	
LPO/LSO/ Contract Ref	N/A	**GRN Ref**	N/A
Source of Funds	Chinese Government	**Invoice Ref**	102/103

No	Description	Amount (US$)
1	Food and Subsistence supplies to security forces Invoice 0102	236,066.25
2	Food and Subsistence supplies to security forces Invoice 0103	163,933.75
	Total	**400,000**

Prepared By	Mar Ntaya	**Signature**	
		Date	3/11/09
Checked By		**Signature**	
		Date	03/11/09
Approved By		**Signature**	
		Date	4/11/2009
Authorised By		**Signature**	
(Ministry of Finance Somalia TFG)		**Date**	03/11/09

Paid Stamp

Cheque ref & Date

Annex 5.2.k: Letter from Daljir Authorizing Payment to Global Creative Agencies

DALJIR TRADING AND GENERAL SERVICE

SHIRKADA GANACSIGA IYO ADEEGA GUUD EE DALJIR

Ref 0104 DATE 28 /10/2009

Embassy of the Somali Republic Nairobi - Kenya

To: Whom It May Concern

Re: Authority to Release Funds

Kindly release on my behalf, the money for the Food and subsistence given by our company to the Transitional Federal Government of Somalia's Armed Forces to Mr. Abdirahman Yusuf Omar of Global Creative Agencies Ltd and following are the particulars of the bank in Nairobi:

Gulf African Bank
Account # 0920025402 — Called to confirm the details 5/11/09 3.40pm

His Phone # 00254-721-811-811.

Please accept our consideration and esteem

Yusuf Sheikh Mohamed

Chairman of Daljir Trading and General Service

DALJIR TRADING AND GENERAL SERVICE-TEL: [illegible]

1

Annex 5.2.l: Authorization from Sharif Hassan for Payment to Daljir

Jamhuuriyadda Soomaaliya
Xukuumadda Federaaliga KMG ah
Wasaaradda Maaliyadda

جمهورية الصومال
الحكومة الانتقالية الفيدرالية
وزارة المالية

TRANSITIONAL FEDERAL GOVERNMENT OF THE SOMALI REPUBLIC
Office of the Deputy Prime Minister and Minister of Finance
Ministry of Finance

November 2, 2009

Mr. Alfan Njeru
PriceWaterHouseCoppers, LTD
The Rahimatula Towers
Nairobi, Kenya

Dear Mr. Njeru,

The minister of finance endorses the payment to Daljir Trading and General Service to be paid through their representative Mr. Abdirahman Yussuf Omar of Global Creative Agencies LTD and following are the information of their bank account in Nairobi:

Gulf African Bank
Account # 0920025402

Thank you.

Embassy of the Somali Republic
Nairobi - Kenya

Sincerely,

جمهورية الصومال
الحكومة الانتقالية الفيدرالية
وزارة المالية
Transitional Federal Government
of the Somali Republic
Deputy Prime Minister & Minister of Finance
OFFICE OF THE MINISTER

Sharif Hassan Sheikh Aden
(Deputy Prime Minister & Minister of Finance)

CC: Dajir Trading And General Services
Dr. Abdusalam Omer
Senior Advisor

Jirdeh Hussein Building Opp. Hawatako Statue, Makka-Al-Mukaromah Rd. Hawatako, Mogadishu
Tel. +2525 900820Tel. +2521 5587681 E-mail. mof.somalia@gmail.com

Annex 5.2.m: PWC Authorization for Daljir Payment

PRICEWATERHOUSECOOPERS

PricewaterhouseCoopers Limited
The Panafrik Tower
Upper Hill Road
P O Box 43963
00100 Nairobi
Kenya
Telephone +254 (20) 285 5000
Facsimile +254 (20) 285 5001
www.pwc.com/ke

The Branch Manager
Standard Chartered Bank Limited
Kenyatta Avenue Branch
Nairobi

5 November 2009

Subject: PwC Somalia TFG Reconstruction - Client A/C

Dear Sir or Madam

Kindly debit our account number 87060229850 02 with USD 400,000 (United States Dollars Four hundred thousands only) and transfer the amount to the bank account below by RTGS.

Beneficiary: Global Creative Agencies LTD

Bank: Gulf African Bank

Branch: Kenyatta Avenue

Account Number: 0920025402

11 NOV 2009

Yours faithfully

Authorised signatory

Authorised signatory

Directors: V Aghassi, A Bakuza, A Mbiu, E Kinai, J P Arrau, S Mugoiny, C Muriuki, K Machio, A Njiru, N Nyaribo, S Oseko, B Okundi, N Onyango, A Sen, R Shah, N Sood, M Wambua (British, American)

Annex 5.2.n: Letter from MOF Sharif Hassan to PWC

Jamhuuriyadda Soomaaliya
Xukuumadda Federaaliga KMG ah
Wasaaradda Maaliyadda

جمهورية الصومالية
الحكومة الانتقالية الفيدرالية
وزارة المالية

TRANSITIONAL FEDERAL GOVERNMENT OF THE SOMALI REPUBLIC
Office of the Deputy Prime Minister and Minister of Finance
Ministry of Finance

PricewaterhouseCoppers
Nairobi, Kenya

December 16, 2009

Dear Mr. Njeru,

In reference to the letter by the Prime Minister of the Somali Republic Hon. Omar A. A. Sharmarke on October 25th 2009, concerning liability of $700,000 (seven hundred thousand USD) to Daljir Trading & General Services for food and other subsistence provided to the TFG forces. PwC has paid the first instalment of $400,000 (four hundred thousand USD) on November 11, 2009.

This letter is to request the payment of the remaining $300,000 (three hundred thousand USD) from the contribution of the government of Rwanda and the remaining contribution from the government of Libya. The following are the details of the account:

Name of the account: Daljir Trading & General Services;
Account Number: 87-020-118549-00
Bank's Name: Standard Chartered Bank Kenya LTD, Eastleigh Branch

Thank you

Sincerely,

جمهورية الصومالية
الحكومة الانتقالية الفيدرالية
وزارة المالية
Transitional Federal Government
of the Somali Republic
Deputy Prime Minister & Minister of Finance
OFFICE OF THE MINISTER

Shareef Hassan Sheikh Aden
Deputy Prime Minister and Minister of Finance

CC: Hon. Omar A. A. Sharmarke
Prime Minister

Abdusalam Omer
Senior Advisor

Jirdeh Hussein Building Opp. Hawatako Statue, Makka-Al-Mukarramah Rd. Hawatako, Mogadishu
Tel. +2525 900820Tel. +2521 5587681 E-mail. mof.somalia@gmail.com

Annex 5.2.o: PWC Payment to Daljir on 16 December 2009

Transitional Federal Government of the Somali Republic

Fiduciary Management Agency

P.O. Box 45963 00100 Nairobi Tel 2655000

Serial No: 007

Payment Voucher

Payee	Daljir Trading & General Service	**Date**	16-Dec-09
Ministry	Ministry of Defence	**Account Number**	
LPO/LSO/ Contract Ref	N/A	**GRN Ref**	N/A
Source of Funds	Rwanda Govt & Libya	**Invoice Ref**	102/103

No	Description	Amount (US$)
1	Food and Subsistence supplies to security forces Invoice 0103	304,780.25
	Less Amounts Paid on PV 002	163,933.75
	Total	140,847

Prepared By	Alex Ngugi	**Signature**	
		Date	17/12/09
Checked By	S. Nuraddin	**Signature**	
		Date	17/12/09
Approved By	A NJERU	**Signature**	
		Date	17/12/2009
Authorised By	A. Omer	**Signature**	
(Ministry of Finance Somalia TFG)		**Date**	17/12/2009

Paid Stamp

Cheque ref & Date

PRICEWATERHOUSECOOPERS

PricewaterhouseCoopers Limited
The Rehemtulla Tower
Upper Hill Road
P.O Box 43963
00100 Nairobi
Kenya
Telephone +254 (20) 285 5000
Facsimile +254 (20) 386 9201
www.pwc.com/ke

The Branch Manager
Standard Chartered Bank Limited
Kenyatta Avenue Branch
Nairobi

17 DEC 2009

17 December 2009

Subject: PwC Somalia TFG Reconstruction - Client A/C

Dear Sir or Madam

Kindly debit our account number 87060229850-02 with USD 140,847 (United States Dollars One Hundred Forty Thousand Eight Hundred Forty Seven Only) and transfer the amount to the bank account below by RTGS

Beneficiary: Daljir Trading & General Services

Bank: Standard Chartered Bank

Branch: Eastleigh

Account Number: 87-020-118549-00

Yours faithfully

Authorised signatory

Authorised signatory

Annex 5.2.p: PWC Payment to Daljir on 21 December 2009

Transitional Federal Government of the Somali Republic

Fiduciary Management Agency

P.O. Box 43960 00100 Nairobi Tel: 2855000

Serial No: 008

Payment Voucher

Payee	Daljir Trading & General Service	**Date**	21-Dec-09
Ministry	Ministry of Defence	**Account Number**	
LPO/LSO/ Contract Ref	N/A	**GRN Ref**	N/A
Source of Fund	Rwanda Govt & Libya	**Invoice Ref**	0107

No	Description	Amount (US$)
1	Food and Subsistence supplies to security forces invoice 0107	159,160.00
	Total	159,160

Prepared By	Alex Nyaga	**Signature**	
		Date	21/12/09
Checked By	Simon Nyaanda	**Signature**	
		Date	21.12.09
Approved By		**Signature**	
		Date	
Authorised By		**Signature**	APPROVED
(Ministry of Finance Somalia TFG)	Abdusat Omar	**Date**	21/12/2009
			21/12/2009

Paid Stamp

Cheque ref & Date

PRICEWATERHOUSECOOPERS

PricewaterhouseCoopers Limited
The Rahimtulla Tower
Upper Hill Road
P O Box 43963
00100 Nairobi
Kenya
Telephone +254 (20) 285 5000
Facsimile +254 (20) 285 5051
www.pwc.com/ke

The Branch Manager
Standard Chartered Bank Limited
Kenyatta Avenue Branch
Nairobi

21 December 2009

Subject: PwC Somalia TFG Reconstruction - Client A/C

Dear Sir or Madam

Kindly dabit our account number 87060229850-02 with USD 159,160 (United States Dollars One Hundred Fifty Nine Thousand One Hundred Sixty only) through cheque 000005 and transfer the amount to the bank account below by RTGS.

Beneficiary: Dalje Trading & General Services

Bank: Standard Chartered Bank

Branch: Eastleigh

Account Number: 87-020-118549-00

Yours faithfully

Authorised signatory

Authorised signatory

Directors: V Aggarwal, A Erikson, A Hollow*, S Kimaiyo, P Kinisu, G Maughling*, C Mackenzie, N Mudhiru, A Njeru, R Njoroge, S Okello, B Okundi, W Onyango, K Said, R Shah, N Swart, M Whitehead* (*British, #American)

Annex 5.2.q: Letter from MOF Sharif Hassan Regarding Libyan Funds

Jamhuuriyadda Soomaaliya
Xukuumadda Federaaliga KMG ah
Wasaaradda Maaliyadda

جمهورية الصومال
الحكومة الانتقالية الفيدرالية
وزارة المالية

TRANSITIONAL FEDERAL GOVERNMENT OF THE SOMALI REPUBLIC
Office of the Deputy Prime Minister and Minister of Finance
Ministry of Finance

November 2, 2009

Alphan Njeru
PriceWaterHouseCoopers Limited
The Rahimtulla Tower
Upper Hill Road
Nairobi, Kenya

Dear Mr. Njeru,

This letter is to request that the funds from Libyan Government in the amount of One Million and five Hundred and Thirty one Thousand USD ($1,531,000.00) is budgeted and will be spent in the following categories:

1) Salaries for members of the Somali Parliament
2) Salaries and running cost of the 39 ministries
3) Salaries and running cost of the Presidency
4) Salaries and running cost of the Speaker of the Parliament
5) Salaries and running cost of the Prime Minister's Office
6) Payment of Hospitals and Hotels in Nairobi for members of the TFG forces who were injured in the fighting in Somalia
7) Fee for PWC

Further, to this instruction that the funds will be transferred to the Central Bank of Somalia in Mogadishu for paying salaries and other expenses. The budget is attached and the required accounting documents will be sent to PWC within twenty one days. We are requesting that the funds be transferred through Dahabshil Remittance Company who will not charge any fees for the services. The medical expense funds will be released to the Ambassador of Somalia Hon. Mohamed Ali Nur who will provide all the necessary documentations from the establishments in Kenya within twenty one days.

Jirdeh Hussein Building Opp. Hawatoke Statue, Makka-Al-Mukaramoh Rd. Hawatoke, Mogadishu
Tel. +2525 900820Tel. +2521 5587681 E-mail. mof.somalia@gmail.com

Annex 5.2.r.i: Payment Authorizations & Deposits for MP Pay and Ministries – 3 November 2009

Transitional Federal Government of Somali Republic

Fiduciary Management Agency

Serial No 001

Imprest Request Voucher

Payee Somalia Transitional Federal Government **Date** 3-Nov-09

Ministry of Finance **Account Number**

Amount Outstanding Nil **Source of Funds** Govt of Libya

Date to Account: 24 Nov 09

No	Description	Amount (U.S.$)
1	Advance monthly budget for various ministries as per the attached schedule	1,367,000
	Total	1,367,000

Prepared By Alex Nyaga **Signature** **Date** 3/11/09

Checked By Ronald Ndegwa **Signature** 03/11/09 **Date**

Approved By **Signature** 3/11/2009 **Date**

Authorised By Abdusalam Omer **Signature** **Date** 3/11/09

(Ministry of Finance Somalia TFG)

Paid Stamp *Cheque ref & Date*

File Comment

Further to consultations between Alpha and Dr. Omer, it was agreed to pay the amount of US$ 1,367,000 in two instalments of US$ 660,000 and US$ 707,000 Ronald Ndegwa 11/11/09

Mr. Alphan Njeru
PricewaterhouseCoopers
Nairobi, Kenya
November 7, 2009

Dear Mr. Njeru,
The minister of finance of the Transitional Federal Government of Somalia (TFG) Hon Sharif Hassan Sheikh Aden requested from Dahabshiil Company to transfer to the Central Bank of Somalia in Mogadishu funds totaling the amount of $1,367,000. These funds are currently in the TFG account administered by PricewaterhouseCoopers. Dahabshiil agreed to this request without charging any fees.
We will release the funds when the money is deposited into our following account in Dubai.

Please see the details of our bank account in Dubai:

Account Name:	AL DAHAB EXCHANGE
Account No:	2011-7770338703
Swift Code:	HABBAEAD
Name of Bank:	HABIB BANK LTD
Branch Name:	DEIRA DUBAI BRANCH
Address:	P.O. Box # 888 DUBAI, UAE
Fax No:	009714 2252567

I can be reached at mobile No. 0722-323666, email address:
mohamoodhersi@hotmail.com.
Sincerely,
Mohamood Ahmed Hersi
Dahabshiil Branch Manager
Lornho House, 2nd floor

CC: Hon Sharif Hassan Sheikh Aden
Deputy Prime Minister/Minister of Finance
Dr. Abdusalam Omer
Senior Advisor

Annex 5.2.r.ii: Payment Authorizations & Deposits for MP Pay and Ministries – 11 November 2009

Transitional Federal Government of Somali Republic

Fiduciary Management Agency

Serial No 001A

Imprest Request Voucher

Payee Somalia Transitional Federal Government **Date** 11-Nov-09

Ministry of Finance **Account Number**

Amount Outstanding Nil **Source of Funds** Govt of Libya

Date to Account: 24 Nov 09

No	Description	Amount (USD)
1	Advance monthly budget for Saleries of Members of parliament as per the attached schedule	660,000
	Total	660,000

Prepared By Cosmas Mukundu **Signature** **Date** 11/11/09

Checked By Bashir Ndegwa **Signature** **Date** 11/11/09

Approved By **Signature** **Date**

Authorised By **Signature** ABDI E J

(Ministry of Finance Somalia TFG) **Date** 11/11/2009

Paid Stamp *Cheque ref & Date*

PRICEWATERHOUSECOOPERS

PricewaterhouseCoopers Limited
The Rahimtulla Tower
Upper Hill Road
P.O.Box 43963
00100 Nairobi
Kenya
Telephone +254 (20) 285 5000
Facsimile +254 (20) 285 5001
www.pwc.com/ke

The Branch Manager
Standard Chartered Bank Limited
Kenyatta Avenue Branch
Nairobi

11 November 2009

Subject: PwC Somalia TFG Reconstruction - Client A/C

Dear Sir or Madam

Kindly debit our account number 87060229850-02 with USD 660,000 (United States Dollars Six hundred and sixty thousands only) and transfer the amount to the bank account below by RTGS.

Beneficiary: AL DAHAB EXCHANGE

Bank: HABIB BANK LIMITED

Branch: DEIRA DUBAI BRANCH

Account Number: 2011 – 7770338703

Swift Code: HABBAEAD

STANDARD CHARTERED BANK BRANCH 11 NOV 2009 DATE FOR VALUE RECEIPT

Yours faithfully

Authorised signatory

Authorised signatory

For: STANDARD CHARTERED BANK KENYA LTD.

Manager, OCC International Finance, 12th Floor

Annex 5.2.r.iii: Payment Authorizations & Deposits for MP Pay and Ministries – 12 November 2009

Transitional Federal Government of Somali Republic

Fiduciary Management Agency

P.O. Box 43063-00100 Nairobi Tel: 2855000

Serial No 0018

Imprest Request Voucher

Payee: Somalia Transitional Federal Government

Date: 12-Nov-09

Ministry of: Finance

Account Number:

Amount Outstanding: Nil

Source of Funds: Govt of Libya

Date to Account: 24 Nov 09

No	Description	Amount (USD)
1	Advance monthly budget for Salaries of Members of parliament as per the attached schedule	707,000
	Total	707,000

Prepared By: [illegible]

Signature:

Date: 12/11/09

Checked By: [illegible]

Signature: 12/11/09

Date:

Approved By:

Signature: 12/11/2009

Date:

Authorised By:

Signature:

(Ministry of Finance Somalia TFG)

Date:

Paid Stamp

Cheque ref & Date

PRICEWATERHOUSECOOPERS

PricewaterhouseCoopers Limited
The Rahimtulla Tower
Upper Hill Road
P O Box 43963
GPO 00100 Nairobi
Kenya
Telephone +254 (20) 285 5000
Facsimile +254 (20) 285 5001
www.pwc.com/ke

The Branch Manager
Standard Chartered Bank Limited
Kenyatta Avenue Branch
Nairobi

12 November 2009

Subject: PwC Somalia TFG Reconstruction - Client A/C

Dear Sir or Madam

Kindly debit our account number 87060229850-02 with USD 707,000 (United States Dollars Seven hundred and seven thousands only) and transfer the amount to the bank account below by RTGS

Beneficiary: AL DAHAB EXCHANGE

Bank: HABIB BANK LIMITED

Branch: DEIRA DUBAI BRANCH

Account Number: 2011 – 7770338703

Swift Code: HABBAEAD

Yours faithfully

Authorised signatory

Authorised signatory

Directors: [illegible]

Annex 5.2.s: PWC Email Dated 7 January 2010

[redacted]

Dear Office of the Minister of Finance
Happy new year!
I have just been wondering when the payments to the parliamentarians will be supported. Please note that the payment that was done was on the basis that they took an advance that needed to be supported fully to ensure compliance with transparency and accountability frameworks.

Regards

[redacted]

Ministry of Finance - Somalia
[redacted]
12/17/2009 04:26 PM

[redacted]

[redacted]

[redacted]

Annex 5.2.t: PWC Email Dated 1 March 2010

---------- Forwarded message ----------
From: <Afghan Nanu@ke.pwc.com>
Date: Mon, Mar 1, 2010 at 10:06 PM
Subject: Re: Payment authorization
To: Ministry of Finance - Somalia <[redacted]>, Bernard Ndungu@ke.pwc.com
Cc: Abdisalan Omar <abdisalam_omar@msn.com>

Mohamed
I am just wondering was the payment to parliamentarians ever supported? If the answer is NO this must be done as a matter of urgency
Regards
Afghan

----- Original Message -----
From: Ministry of Finance - Somalia [mof.somalia@gmail.com]
Sent: 03/01/2010 01:58 PM ZE3
To: Bernard Ndungu
Cc: Afghan Nanu; Abdisalan Omar <abdisalam_omar@msn.com>
Subject: Payment authorization

Dear Bernard

The attached is payment authorization for Dalje, the remaining documents will follow soon
Please expedite the process so the funds can be received on time

Mohamed Abdirisi
Adviser to the Minister

Office of the Minister of Finance
Mogadishu, Somalia

&&&&&&&&&&&&&&&&&&&&&&&&&&&&&&&&
The information contained in this e-mail message and any files transmitted with it is intended solely for the addressee(s) and may be legally privileged and is confidential. Access by any other party who is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient is prohibited. If you received this e-mail in error please contact the sender by telephone or e-mail and destroy the original
&&&&&&&&&&&&&&&&&&&&&&&&&&&&&&&&

Annex 5.2.u: Email from Aues Scek to AFDB

---------- Forwarded message ----------
From: **aues scek** <ascekscc@googlemail.com>
Date: Tue, Dec 1, 2009 at 5:58 PM
Subject: Implementation plan
To: f.malondo@afdb.org, m.kito@afdb.org
Cc: b.jones@afdb.org, abdusalam_omer@msn.com, mot.someka@gmail.com

Dear Malondo,
Let me thank you for the productive meetings and hospitality that you and your colleagues gave to us in Tunis. The Minister asked me to expedite the implementation process of the signed agreement. Therefore I am attaching all the needed documentation for the payment schedule, and the two advisors to be hired immediately to develop the the work plan and the implementation process. In addition I am also attaching the CV and the TOR for the senior advisor for your consideration and concurrence. This position as the coordinator for the project is critical to be on-board soon. I will send to you the TOR and the CV for the other advisor position in the next coming days.

Dr Aues Scek
Senior Economic Advisor
Ministry of Finance
PO Box 623-00806
Tel [redacted] +254 724 736 041

Annex 5.3: Passport production, corruption and fraud

1. Further to the previous report of the Monitoring Group (S/2102/544), the corruption of the Somali passport has continued according to the same patterns of the pat and is still controlled by the same individuals, namely the Director of Immigration, General Abdullahi Gaafow Mohamud and Ambassador Abdulkadir Sheikhey Al-Hatimi of the Dubai General Consulate.

2. Since this continues to undermine the legitimacy and reliability of Somalia's national identity and travel document, many Somalis rely on dual citizenship and multiple passports to travel internationally. Because of Somalia's porous border and its association with Al-Shabaab, organized crime and piracy, many Somalis obtain temporary Somali travel documents from the Embassy in Nairobi to travel to Somalia (see annex 5.3.a). They do this to conceal their travel into Somalia to avoid potential questioning from immigration and customs upon return to their home countries.[1] While most Somalis use such travel documents in good faith to facilitate their passage through Kenya and into Somalia, such documents could also be used for illicit purposes, by Al-Shabaab and its affiliates, pirates or other criminals to obscure their movements into and out of Somalia.

Mismanagement and insecurity

3. The two main production centres for the Somalia passport are in Dubai and Mogadishu. However, there is no central database or ability to crosscheck applicants.[2] It is possible for individuals to be approved for a passport in Nairobi after having already obtained one from Dubai. Also, the Monitoring Group was informed that, in October 2012, the database of Mondial Technology Information (MTI) in Dubai crashed and all stored data pertaining to the Somalia passport program was lost.[3]

4. Further to the findings of the previous Monitoring Group,[4] Somali passports continue to be issued in false names or with falsified data. Individuals have been able to obtain numerous Somali passports in different names or for others in their name (see annex 5.3.b). The Monitoring Group was informed that Gaafow approved one such passport and Siyad Mohamed Shire, the Consul of Somalia to Kenya, approved another one (see annex 5.3.c).[5]

5. There are no consequences for individuals who use falsified passports. The Italian Embassy in Nairobi identified a woman using a false Somalia passport who was attempting to obtain a visa. The Italian Embassy informed the Somali Embassy in Nairobi. Their response

[1] Information obtained from Somali Government employee, 23 March 2013.
[2] Meeting with Italian Ambassador to Kenya, Paola Imperiale, Italian Embassy in Nairobi, 14 March 2013. The Italian Embassy has been in contact with the Somali Embassy in Nairobi regarding Somali applicants for Italian visas and was informed that there is no database.
[3] Interview with Somali Government official, Nairobi, 10 October 2012.
[4] S/2012/544, Annex 1.2, paragraph 48.
[5] Interview with government official eyewitness, Nairobi, 13 March 2013.

was to issue her a genuine passport and send her back to the Italian Embassy to obtain a visa to travel.[6]

6. The Monitoring Group has obtained evidence that a non-Somali, who is an Al-Shabaab affiliate, was able to obtain a Somalia passport under a false name at the beginning of 2013 and attempted to travel using it (see annex 5.3.d).[7] This previously reported problem[8] is even more troubling given the rise of Al-Shabaab affiliated groups in Kenya and violence attributed to them (see annex 2).

Continuing corruption of the ePassport

7. In the previous report of the Monitoring Group, Abdullahi Elmoge Hersi, the owner of Immigrant Resource Center (IRC) in Minneapolis, Minnesota, U.S.A. stated that he had been awarded the Somalia ePassport contract in the U.S., but at the end of 2010, Ambassador Sheikhey had terminated his contract on behalf of the TFG in favour of a U.S. company in Ohio.[9] However, IRC's website identifies it as the official issuer of Somalia passports in the U.S.[10] The Monitoring Group was unable to identify a company in Ohio that is performing the same service, and has learnt that many of IRC's employees are from Ohio.[11] According to official Somali immigration documents, the listed cost of a passport obtained at Somali embassies or centres outside Somalia is 100 USD, but eyewitnesses in the U.S.A. state that IRC is continuing to charge 350 USD per passport and requiring that all payments be made in cash (see annex 5.3.e).[12] IRC keeps 100 USD for itself and forwards 250 USD to the Somali Embassy in Dubai.[13]

8. The ePassport program is served by the Dubai General Consulate and controlled by Ambassador Sheikhy with the approval of General Gaafow (see annex 5.3.f). After receiving a passport application, IRC emails the applicant's details to Dubai for processing. IRC is responsible for vetting the applicant and determining eligibility for a Somalia passport. A U.S.A. permanent resident "Green Card" and the ability to speak Somali are deemed sufficient.[14]

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[6] Meeting with Italian Ambassador Paola Imperiale, Nairobi, 14 March 2013.
[7] The Monitoring Group can confirm that a member of an Al-Shabaab affiliate known to the Monitoring Group and who is operating both in Somalia and in the region was issued with a Somali passport by the Somali Embassy in Nairobi in January 2013. In attempting to apply for a visa to a neighbouring country his visa application was rejected. Source?
[8] S/2012/544, Annex 1.2, paragraph 48-51.
[9] S/2012/544, Annex 1.2, paragraph 32.
[10] http://www.ircoffice.com/passports.html.
[11] Information provided by U.S. Government source, 23 April 2013.
[12] Interview with Somali-American, who obtained a Somalia passport from the IRC in Minneapolis, Minnesota, U.S.A. in October 2012, 13 February 2013. See also S/2012/544, Annex 1.2, paragraph 31.
[13] Interview with Somalia Government official, Nairobi, 16 October 2012, and interview with former MP?, 13 February 2013, Minneapolis, MN, U.S.A.
[14] Interview with U.S. diaspora member who obtained a Somalia passport through IRC, 13 February 2013.

9. Meanwhile, according to MTI's accounting statement for the Somali Embassy in Nairobi for the period of 1 January to 2 April 2013, MTI was paid 63,790 USD by the Somalia Government for issuing 1354 adult passports at 35 USD each, as well as 496 children's passports and 289 express passports at 20 USD each (see annex 5.3.g).[15] The potential revenue for the Somali Government from passports processed just through the Nairobi embassy from January to April 2013 is 103,710 USD. This does not account for passport applications from abroad sent directly to Dubai, providing an additional 150 USD per passport, passports issued from other Somalia embassies or for passports issued inside Somalia. According to MTI's statements for July 2010 to 31 December 2011, the Somali ePassport and National ID system serves 19 different Somali embassies and consulates and processes applications from inside of Somalia.[16]

10. In addition, the Ministry of Immigration is responsible for the collection of visa fees at Aden Adde Airport, Mogadishu, which should also be deposited into the Central Bank. Since the beginning of 2013, an average of 3000 passengers arrived at Aden Adde International Airport each week.[17] Even if conservatively only half of the passengers paid a 50 USD visa fee upon entry, this could potentially amount to 975,000 USD in this time period for visas alone. Combining visa and passport fees, the Ministry of Immigration should have deposited over 1.1 million USD in total for the first three months of 2013, but only 300,000 USD was deposited into the Central Bank.[18] Considering that data for 18 other embassies and from inside Somalia is missing in this calculation, during the first three months of 2013 there is potentially 1 million USD unaccounted for.

11. Furthermore, on 4 November 2012, Abdullahi Elmoge Hersi was appointed as the new Minister of Information and Telecommunications.[19] Historically, this post has been considered a lucrative position with control over revenues that are easily diverted.[20] Hersi continues to own IRC and has delegated the running of the business to his wife, Fardousa Yussef.[21] IRC has two branches in Minneapolis, one located on the first floor of the Karmel Mall, 1 West Lake Street, and one on the second floor of The Village Market, 912 East 24th Street. There is also a branch in Eastleigh, 6th Street, Juba Hotel Building 1st Floor, Nairobi, Kenya. Sources have told the Monitoring Group that Hersi's appointment was a reward for his participation in the passport program, and an eyewitness observed General Gaafow thanking Hersi for his passport

[15] Interview with FGS source, Nairobi, 23 March 2013.
[16] S/2012/544, Annex 1.2.v.
[17] Based on incoming flight schedule to Aden Adde International Airport during February 2013.
[18] Central Bank deposits from the Ministry of Immigration do not indicate whether they are from passport revenues or another source of income.
[19] http://www.raxanreeb.com/2012/11/somalia-prime-minister-abdi-announces-new-cabinet-ministers/.
[20] http://www.transparency.org/files/content/corruptionqas/337_Overview_of_corruption_and_anti-corruption_in_Somalia.pdf.
[21] Interview with U.S. Government source, 6 December 2012.

work in Minneapolis, saying he hoped that they would continue working together in the future.[22]

Threats and violence

12. Following the publication of the previous report of the Monitoring Group (S/2012/544), in mid-August 2012, the Director of Immigration, General Abdullahi Gaafow Mohamud, had the former Deputy Director of Immigration Abdi Barre Jibriil arrested in Mogadishu.[23] Anticipating this, Jibriil wrote a letter on 7 January 2012, addressed to several TFG offices, which stated that if anything were to happen to him, they should consider Gaafow as the suspect (see annex 5.3.h).[24] According to Jibriil, he was arrested because he allegedly spoke to the Monitoring Group, and on 31 July 2013, General Gaafow wrote an official letter confirming this accusation (see annex 5.3.i). Gaafow was also overheard saying that he knew that Jibriil had spoken to the Monitoring Group, and if he discovers anyone else having done so, they will receive the same treatment.[25]

13. Jibriil stated that General Gaafow called him to the courthouse in Mogadishu, where he was detained by Director of the Criminal Investigation Department (CID) Abdullahi Barise, Attorney General Abdullahi Abdi Weheliye and Minister of Interior Abdi'Samad Moallin. Jibriil was later informed that Gaafow had paid 75,000 USD to the others to participate in his arrest and detention. Weheliye and several soldiers proceeded to physically assault Jibriil under the direction of Gaafow. They attempted to force him to sign a document disavowing any statements made to the Monitoring Group. Gaafow then threatened to shoot him if he did not recant his statements.[26] Jibriil is an important figure in Somalia and Puntland and a U.S. citizen. Because of international press coverage, pressure from Puntland elders and diplomatic intervention, Jibriil was eventually released on 1 September 2012.[27] Since the incident, Jibriil has lived in fear for his safety and does not travel alone. Despite the dangers, Jibriil intends to remain in Mogadishu having been elected as a Member of Parliament in 2012.

14. General Gaafow has also been accused of directing threats toward Sanjivan Mukherjee, owner of Just Solution Limited (JSL), which had previously been contracted by the TFG for the production of Somali passports.[28] When Mukherjee closed the JSL Dubai office, he shipped his office equipment back to Kenya. Mukherjee stated that employees packing the office accidentally placed the remaining Somali passports and identification cards into boxes with his company's equipment. He intended to return these documents to the Somali Embassy in

[22] Eyewitness account on 6 December 2012 at Aden Adde Airport, Mogadishu, Somalia.
[23] http://www.gadowne.com/2012/08/abdi-barre-yuusuf-jibril-waa-xildhibaan-cusub-oo-xabsi-loo-taxaabey/.
[24] Letter provided by MP Abdi Barre Jibriil to the Monitoring Group.
[25] Interview with eyewitness, Nairobi, 10 October 2012.
[26] Interview with MP Abdi Barre Jibriil, 13 February 2013, Minneapolis, MN, U.S.A.
[27] http://puntlandi.com/breaking-news-abdi-barre-yusuf-jibril-regains-his-freedom/.
[28] See S/2012/544, Annex 1.2.a

Nairobi instead of the Dubai General Consulate of Somalia.[29] However, on 15 November 2011 the Kenya Revenue Authority seized the shipment in Mombasa.[30] Ambassador Mohamed Al Nur (Americo) stated publicly that the Somali Government had terminated its contract with JSL because it would not surrender its passport printing machine and claimed that it was illegal for JSL to possess it.[31] According to former TFG Prime Minister Omar Abdirashid Sharmarke, the termination of the contract surrounded JSL's "failure to streamline operations, improve services and eliminate existing backlog."[32] The Somalia Government still owes JSL 1.5 million USD under its previous contract.[33] The Monitoring Group has learnt that the Nairobi Embassy is attempting to negotiate with Mukherjee to drop his demand for payment of the 1.5 million USD, and if he does so they will instruct Kenyan authorities to drop their case.[34] Mukherjee has denied being approached about this, and stated that he would not agree to it.

15. Mukherjee's first court appearance regarding his seized shipment was on 12 October 2012 which was attended by General Gaafow and Ambassador Americo. Gaafow approached Mukherjee and began to taunt him, saying, "Where are your UN Monitoring Group friends now?" On 16 October 2012, Mukherjee received several telephone calls in the middle of the night from a private number. When he did not answer his telephone, his wife's telephone began to ring. Mukherjee answered and heard a male voice say, "Sanjiv, we are coming to your house. We will kill you."[35] A few days later, four Somali males surrounded him in the parking lot of his office in Nairobi, Kenya. They told him to apologize to the Somalia Government for speaking to the Monitoring Group and he would be forgiven. Otherwise, they said that he would be killed. Mukherjee has had to increase security at his home and office, and is fearful for his safety and the safety of his family.

[29] Interview with Sanjivan Mukherjee, Nairobi, 25 October 2012.
[30] http://www.baidoatimes.com/2012/10/13/trial-of-indian-man-accused-of-transporting-fake-somali-passports-starts-in-mombasa/.
[31] http://www.the-star.co.ke/news/article-17811/somalia-wants-held-passports-id-cards-handed-embassy.
[32] S/2012/544, Annex 1.2, paragraph 26.
[33] Interview with Sanjivan Mukherjee, Nairobi, 25 October 2012.
[34] Interview with Somali government official, Nairobi, 30 October 2012.
[35] Interview with Sanjivan Mukherjee, Nairobi, 25 October 2012.

Annex 5.3.a: Temporary Somali Travel Document

Embassy of the Somali Republic
Nairobi - Kenya

TEMPORARY SOMALI TRAVEL DOCUMENT

TD NO: ESR/20018/011

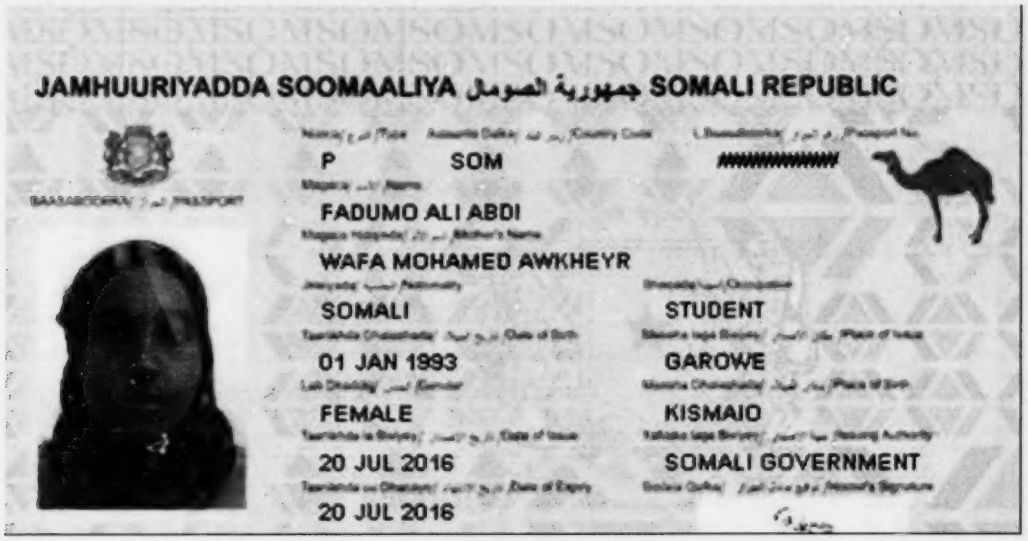
Surname	:	Nuur
Name	:	Layla Mohamed
Father Name	:	Mohamed Nuur
Mother Name	:	Fauduno Mohamed Coloow
Date of Birth	:	10/2/1980
Place of Birth	:	Mogadishu
Sex	:	Female
Nationality	:	Somali
Date of Issue	:	30th December 2011
Palce of Issue	:	Nairobi
Valid until	:	Two wks (14 days) from the date of issue

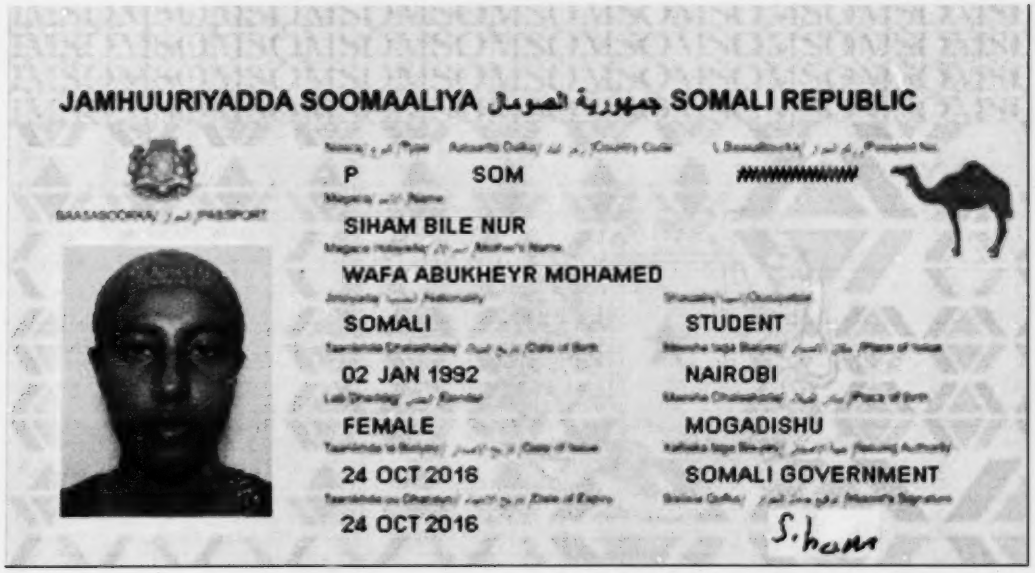
The Embassy of the Somali Republic in Kenya authorizes the bearer of this travel document to use only to travel back to Somalia.

Mr. Mohamed Osman Aden
Counsellor

Embassy of the Somali Republic
Nairobi - Kenya

Annex 5.3.b: Passports for Fadumo Abdi and Siham Nur





Annex 5.3.c: Passport Changes Approved by Siyad Mohamed Shire, the Consul of Somalia to Kenya

P/S Issue This Passport
OK 02-04-2013

HER OLD PASSPORT Submitted
- IN ITALIAN EMBASSY -
- ON APRIL LAST YEAR -
29-March-2013

With Compliments P/S

CHANGE:
1) LAST NAME
2) MOTHERS FIRST NAME
3) DATE OF BIRTH
4) OCCUPATION

changed the day of Of birth and the year From 90 to 92
OK 02-04-2013
Sgd

Embassy of the Somali Republic
Nairobi - Kenya

Liberal Lane, Off Dennis Pritt Road, Kilimani
P.O. Box 623 - 00606 Sarit Centre
Nairobi - Kenya
Tel: +254 (0)20 2716618, 2731813, 2731918
Fax: +254 (0)20 2716619

From the desk of the Ambassador

FIIRO GAAR AH
ملاحظات
OBSERVATIONS

This passport can not be renewed.
Holder must obtain a new Passport.

Saxiixa qofka baasaboorka wata
توقيع حامل الجواز
Signature of passport holder

JAMHUURIYADDA SOOMAALIYA جمهورية الصومال SOMALI REPUBLIC

SAMABOORKA / PASSPORT

P

SOM

P00169450

SAMSAM ABDI ALAS

ASHO AHMED OLOW

SOMALI

08 JUN 1989

FEMALE

09 APR 2012

09 APR 2017

HOUSEWIFE

MOGADISHU

MOGADISHU

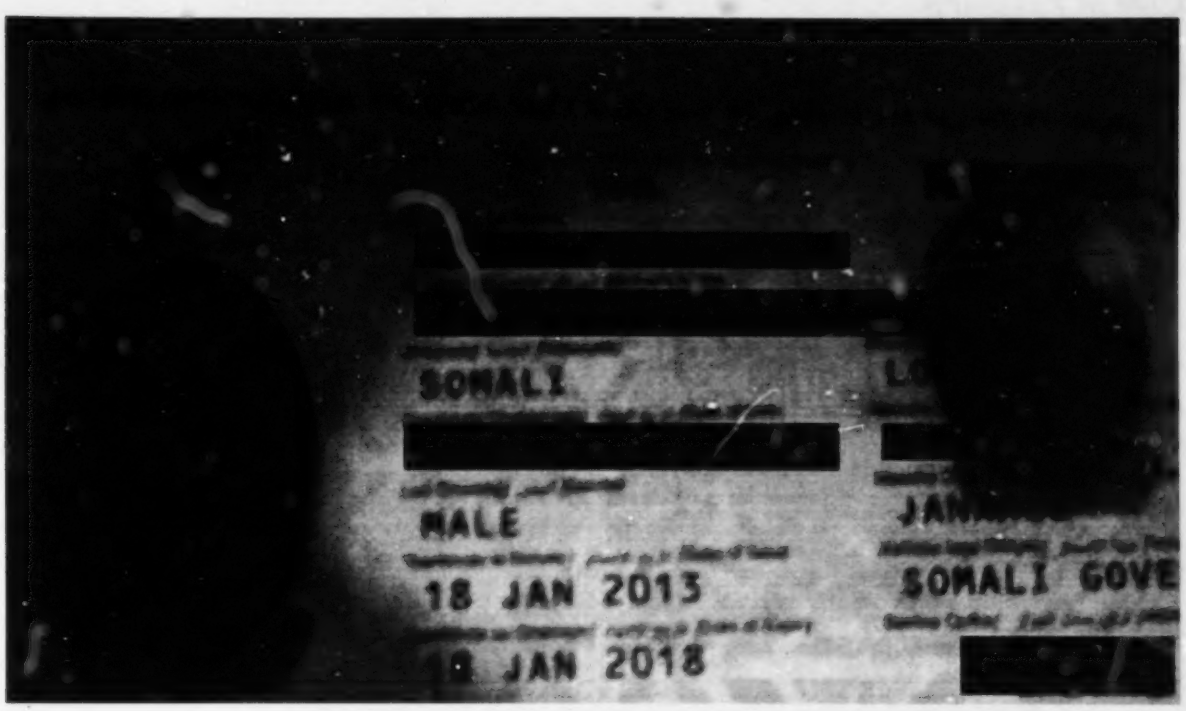
SOMALI GOVERNMENT

P<SOMABDI<ALAS<<SAMSAM<<<<<<<<<<<<<<<<<<<<<<

P00169450SOM8906083F1704095<<<<<<<<<<<<<<08

April - 2012
By- ITALIAN Embassy-

Annex 5.3.d: Passport Obtained by Non-Somali Using False Name



Annex 5.3.e: Official Letter from General Gaafow Regarding Cost of Passports

Xukuumadda Federaalka
ee
Jamhuuriyadda Soomaaliya
Hoggaanka Socdaalka iyo
Jinsiyadda

الحكومة الفيدرالية الإنتقالية
لجمهورية الصومال
ادارة الهجرة والجنسية

Directorate Of Immigration And Naturalization

Nairobi, October 28, 2008

Our Ref: DINS/068/08

Ku: Dhammaan Safaaradaha iyo Qunsuliyadaha Guud - Xaruntooda.
Ku: Shirkadda Xawaaladda Dahabshiil - Xarumahooda
Og: Wasaaradda Arrimaha Dibadda
Og: Madaxweynaha Jamhuuriyadda Soomaaliyeed
Og: Taliyaha Nabadsugidda Qaranka

Ujeeddo: Habka lacag qabashada Baasaboorada

Waxaan si xushmad leh ugiinkugu soo gudbinayaa, habka cusub ee lagu qabanaayo iacagaha eBaasaboorka iyadoo loo tududeynaaayo dadweynaha doonaya Baasaboorka waana sidan:

1- Dadka da'doodu ka weyn tahay 18 sano waa 100$, Ikeqolkaas waxaa loo kala saarayaa: a) 80$ waxaa lagu shubayaa Shirkadda Dahabshiil, b) 20$ waxaa qabanaaya safaaradda ama Qunsuliyadda, taasoo ah khidmaddii ay dowladdu u goysay.
2- Dadka da'doodu ka yar tahay 18 sano waa 80$, Afartankaas waxaa loo kala saarayaa: a) 70$ waxaa lagu shubayaa Shirkadda Dahabshiil, b) 10$ waxaa leh safaaradda ama Qunsuliyadda taasoo ah khidmaddii ay dowladdu u goysay.

Hadaba Mudanayaal waxaan si xushmad leh ugiinka codsanayaa, inaad dadweynaha doonaya baasaboorada sidaas ula socodsiisaan. Waxaana shirkadda dahabshiil lala socodsiinayaa inaan waxba iska bedelin khidmadii ay horay u qaadan jireen.

Meelaha kale ee aan Shirkadda Dahabshiil lacagta ka qabanin waxay ku soconayaan sidiidoodii hore.

ellaasaboorka waxaa xaq u leh qof kasta oo Soomaali ah waxaana ka reeban inuu qaato qof aan soomaali ahayn. Sidoo kale shaqaalaha Hoggaanka Socdaalka, *safaarada,qunsuliyadaha* waxaa ka reeban inay qabtaan lacag caddaan ah oo aan ahayn khidmadda loo gooyey.

Wada shaqayn wacan,

Director
Somali Immigration And Naturalization
Abdullahi Gafow Mohamud

Annex 5.3.f: Official Letter from General Caafow giving control of online applications to the Dubai General Consulate

Dowlada Federaalka
ee
Jamhuuriyadda Soomaaliya
Hoggaanka Socdaalka iyo
Jinsiyadda

الحكومة الفيدرالية الإنتقالية
لجمهورية الصومال
ادارة الهجرة والجنسية

Directorate Of Immigration And Naturalization

Nairobi, May 19, 2009

Ku: Taliyaha Hay'adda Nabadsugidda Qaranka
Ku: Wasiirka Maaliyadda
Ku: Qunsuliyadaha iyo Safaaradaha
Ku: Xarumaha Bixinta Baasaboorada (Enrollment Centres)
Ku: Qunsuliyadda Guud ee Dubai
Og: Just Solution Ltd.

Ujeeddo: U samayn Baasaboor Qof Maqan (Online Application)

Kadib markii ardayda iyo qoysaska jaaliyadaha dibadda ku nool oo u baahan baasabooro, iyadoo weli laga furin xarumo baasaboorada lagu bixiyo, loona baahday in loo sameeyo baasabooro iyagoo maqan, ayaa waxaa la farayaa qunsuliyadda guud ee Dubai inay u adeegaan dadka ku dhiban dibadaha. Si loo dhowro loolana socdo baasaboorada loo sameeyo dadka maqan ayaa xarunta kaliya ee laga bixin ay tahay qunsuliyadda Guud ee Dubai kadib markuu ogolaado taliyaha Hoggaanka socdaalku.

English Version:

Subject: Online Applications

To serve the students and the families living locations without enrolment centres, all online application will be served only by the Dubai General Consulate after the approval of Director of Immigration.

Best Regards,

Taliyaha Hoggaanka Socdaalka iyo Jinsiyadda Soomaaliyeed
Gen. Abdullahi gafow Mohamud

Hoggaanka Socdaalka & Jinsiyadda Jamhuuriyadda Soomaaliya

Annex 5.3.g: Mondial Technology Information Account Statement for 1 January 2013 – 2 April 2013

MONDIAL TECHNOLOGY INFORMATION

Somali E-Passport & National ID Project

Nairobi Embassy Account Statement from Jan 01, 2013 to Apr 02, 2013

Sno	Month	Item Type	Qty	Unit Price	Total
1	Upto Apr 02, 2013	Adult-Standard Passports	1,354	$ 35.00	$ 47,390.00
2	Upto Apr 02, 2013	Child-Standard Passports	496	$ 20.00	$ 9,920.00
3	Upto Apr 02, 2013	Express Passports	289	$ 20.00	$ 5,780.00
4	Jan 04, 2013	Courier Charge(SOMEPP0001618)	1	$ 35.00	$ 35.00
5	Jan 07, 2013	Courier Charge(SOMEPP0001630)	1	$ 35.00	$ 35.00
6	Jan 08, 2013	Courier Charge(SOMEPP0001635)	1	$ 35.00	$ 35.00
7	Jan 12, 2013	Courier Charge(SOMEPP0001650)	1	$ 35.00	$ 35.00
8	Jan 15, 2013	Courier Charge(SOMEPP0001661)	1	$ 35.00	$ 35.00
9	Jan 20, 2013	Courier Charge(SOMEPP0001671)	1	$ 35.00	$ 35.00
10	Jan 23, 2013	Courier Charge(SOMEPP0001686)	1	$ 35.00	$ 35.00
11	Feb 02, 2013	Courier Charge(SOMEPP0001722)	1	$ 35.00	$ 35.00
12	Feb 09, 2013	Courier Charge(SOMEPP0001737)	1	$ 35.00	$ 35.00
13	Feb 09, 2013	Courier Charge(SOMEPP0001749)	1	$ 35.00	$ 35.00
14	Feb 12, 2013	Courier Charge(SOMEPP0001761)	1	$ 35.00	$ 35.00
15	Feb 19, 2013	Courier Charge(SOMEPP0001791)	1	$ 35.00	$ 35.00
16	Feb 23, 2013	Courier Charge(SOMEPP0001802)	1	$ 35.00	$ 35.00
17	Feb 26, 2013	Courier Charge(SOMEPP0001818)	1	$ 35.00	$ 35.00
18	Mar 13, 2013	Courier Charge(SOMEPP0001883)	1	$ 35.00	$ 35.00
19	Mar 17, 2013	Courier Charge(SOMEPP0001897)	1	$ 35.00	$ 35.00
20	Mar 23, 2013	Courier Charge(SOMEPP0001933)	1	$ 35.00	$ 35.00
21	Mar 26, 2013	Courier Charge(SOMEPP0001945)	1	$ 35.00	$ 35.00
22	Mar 30, 2013	Courier Charge(SOMEPP0001959)	1	$ 35.00	$ 35.00
23	Apr 03, 2013	Courier Charge(SOMEPP0001987)	1	$ 35.00	$ 35.00
				Invoice Total	$ 63,790.00
				Total Paid	$63,495.00
				Total Balance	$ 295.00

Statement Payments:

Sno	Payment Ref	Payment Date	Beneficiary	Amount
1	NBI077/8313	08-Jan-2013	Mondial Technology Information	$ 140.00
2	NBI078/3414	22-Jan-2013	Mondial Technology Information	$ 17,345.00
3	NBI079/0187	04-Feb-2013	Mondial Technology Information	$ 15,345.00
4	NBI079/0664	18-Feb-2013	Mondial Technology Information	$ 11,755.00
5	NBI080/8358	18-Mar-2013	Mondial Technology Information	$ 7,590.00
6	NBI081/1331	30-Mar-2013	Mondial Technology Information	$ 7,095.00
7	NBI081/4524	03-Apr-2013	Mondial Technology Information	$ 4,225.00

Annex 5.3.h: Letter from Member of Parliament Abdi Barre Jibriil

KU:-Xeer Ilaaliya Maxkamadda Ciidanka Qaranka . Muqdisho
OG:-Maxkamadda Ciidanka Qalabka Sidda. Muqdisho
OG:-Hay'adda Nabadsigidda Qaranka. Muqdisho
OG:-Taliiska Ciidanka Booliska Soomaaliyeed. Muqdisho
OG:-Wasaaradda Arrimaha Gudaha iyo A/Qaranka. Muqdisho
OG:-Xaafiska Raysalwasaraha Soomaaliya. Muqdisho

Ujeeddo:-Ku Xadgudub iyo Handadaad:-

Anigo ah Abdibarre Yusuf Jibriil Waxaan halkaan idiinku soo gudbinayaa qoraal uu idiin soo garsiyey Madaxa Hoggaanka Socdaalka Abdullahi Gafow Maxamud iyo Abdullahi Hasan Barise oo ay uu Gudbiyeen Xeer Ilaaliyaha Ciidnaka qalabka sida oo lagu magacaabo Abdulaahi Abdi Weheliya Saddexdaas nin oo isku beel ka soo Jeeda in dacwad been abuur ah iga soo gudbiyeen.iyaga oo ka wada xanaaqsan maxaad u ka shiiftay walaalkayo gafow Taasina waa wax lala yaabo??

Hadaba waxaan ku war galinayaa Hey'addaha warqadaani ku socoto in aan ku wargalinayo wax allaale iyo wixii ii soo gara in ay masuul ka yihiin waxaa kale oo la yaab ah qof shacab ah oo aan Ciidan ahayn in ay ka dacweeyaan Mxakamadda Ciidan sidaas darted waxaa halkaas ka muuqata shiirqool iyo handadaad cada.

Waad Mahad santihiin 02/01/012

Qore Abdibarre Yusuf Jibriil

Annex 5.3.i: Official Letter from General Gaafow regarding MP Abdi Barre Jibriil

Xukuumadda Federaalka
Ee
Jamhuuriyadda Soomaaliya
Hoggaanka Socdaalka iyo
Jinsiyadda

لجمهورية الصومال
إدارة الهجرة والجنسية

Directorate of Immigration and Naturalization

Ref: IJS/&J-00499-12 31/07/2012

Ku: Xeer Ilaaliyaha Maxkamada Ciidanka Qaranka

Ujeedo: Dacwad

Mudane Xeer ilaaliye waxaan si xushmad leh kuyu soo gudbinayaa Sarkaal ka oo aan jiray Hoggaanka Socdaalka iyo Jinsiyadda ahaan preyna taliye xigeenka Hoggaanka Socdaalka kaas oo shaqada looga joojiyay khalafaad fara badan shaqada waxaa ka joojiyay Taliyaha S.N.S ku hore oo naqseeyay markaas wuxu ka danbeeyay waxuu daceyad iyo been abuur la daba socday hay'addaha Qaranka iyo in uu burburgaanuko ku furo E-passport wuxuuna , dhawaan websaadyada galiyay in uu E-passport -ka u yahay been abuur in uu dhawaan xafiisyada ka furan dibedda iyo gudaha u soo diro Email u ku shegaayo in waxa ay sheeganeyaan ay yihiin been abuur General Gafow tameystay intaas waxaa ka daran , beenta ay faafisay monitors Group oo abeyd in barnaboorka Dowladda la siyay Al-shabab, sida ku cad qoraalka uu siyay monitors Group Hadalka mudane xeer ilaaliye waxaan si xushmad leh kaaga codsanayaa in nimkaas oo ilaa baddda sheeganayo in uu yahay taliya s geee ka Hoggaanka socdalka in la soo qabto maxkamadna la soo arag ama uu soo cadeeyo baasaboorada Diplomatic oo shaqalaha halka ay hay'adana ku sii say Al-shabaab oo Al-Qaacida

Hadii kale waa nin qaran dumin ah kana soo hor jeedo hoggaanka uu garay dalka Hawsaha hay'adda Socdaalka iyo Jinsiyadda

Agaasimaha Hoggaanka Socdaalka iyo Jinsiyadda

S/Gaas: Cabdullaahi Gafow Maxamuud

Annex 5.4: Mogadishu port revenue diversion

Port manager Sayid Ali Moalim Abdulle and the TFG legacy

1. In September 2010, Sayid Ali Moalim Abdulle, a close associate of Abukar Omar Adani and a member of the Eel Ma'an group (all named in a previous report of the Monitoring Group (S/2010/91)), was appointed manager of Mogadishu port. The port had a long history of corruption and diversion of the principal internal revenue stream of the Government.[1] According to one estimate, Sayid Ali, with then Finance Minister Hussein Halane, Prime Minister Mohamed Abdullahi Farmaajo and President Sharif Sheikh Ahmed, exercised a complete control of the port with the diversion rate reaching 100 per cent.[2] As a result, by 2012, a number of complaints were lodged against Sayid Ali (see below).

2. The Monitoring Group has documented that Sayid Ali diverted at least 3,415,840 USD from humanitarian shipments during the Somali famine (see annex 5.4.a). Revenue at the port is generated through two main sources, including customs duty on import and export of cargo, and port charges and handling fees.[3] Vessels chartered by humanitarian agencies and other ships transporting humanitarian aid were subjected to illegal taxation at a rate of 36 USD per tonne even though officially humanitarian aid is exempt from customs at the port. Seventeen vessels carrying humanitarian cargo were taxed, amounting to 3,415,840 USD (see annex 5.4.a).[4] This money was not deposited by Sayid Ali in any official account of the Government.[5]

3. In addition, aid agencies were overcharged warehouse fees (see annex 5.4.b).[6] On 29 February 2012, the International Committee of the Red Cross (ICRC) was sent a bill in the amount of 75,520 USD for the storage of 1864 tonnes of rice and 2250 tonnes of beans for 77 days (see annex 5.4.c).

4. Sayid Ali was also able to divert funds by manipulating and retaining port charges. On 18 December 2011, the MV Amal that had been chartered by the World Food Programme for a humanitarian shipment, docked at Mogadishu port. On 25 December 2011, it was charged fees for docking, anchorage, mooring, tug service and security amounting to 10,331 USD (see annex 5.4.d).[7] On 27 December 2011, Abdulahi Abkow, the representative for Al-Noor Al-Mustaqeem General Trading in Mogadishu, deposited 19,575 USD into the Mogadishu Port Authority's Dahabshiil account #MUQD0008518 (see annex 5.4.e). This included additional stevedoring fees charged for off-loading the vessel.

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[1] World Bank, "Financial Diagnostic Assessment", April 2012, and see S/2012/544, annex 1.1.
[2] Abdirizak Fartaag, "Public Sector Finance in Somalia", 21 March 2013. Summary available at http://www2.lse.ac.uk/IDEAS/programmes/africaProgramme/pdfs/Abdirazak-Fartaag-LSE-IDEAS-Occasional-Paper-Reconstructing-Somalia-and-the-Politics-of-Public-Sector-Finance.pdf.
[3] World Bank, "Summary of Financial Diagnostic Assessment of 'Audit Investigative Financial Report 2009-2010'", 30 May 2012.
[4] Documents compiled and provided by shippers in Mogadishu and Nairobi.
[5] This figure is a conservative estimate and corroborated by additional documentary evidence as well as testimony of traders, shippers and port employees between October 2012 and March 2013.
[6] http://www.somaliareport.com/index.php/post/2389/Supreme_Court_Calls_on_Port_Chairman_to_Resign.
[7] Document obtained from Mogadishu shipper, Nairobi, September 2012.

5. On 2 January 2012, Al Mustaqeem received a bill from the Mogadishu Port Authority requesting that they remit an additional 47,292 USD for shore handling of the MV Amal (see annex 5.4.f). On 18 January 2012, Al Mustaqeem sent a letter to the Mogadishu Stevedoring Committee to clarify the tariffs listed on this bill (see annex 5.4.g). The chairman of the Stevedoring Committee, Mohamud Ali Ugas, responded on 19 January 2012, and clarified the tariffs (see annex 5.4.h). He indicated that the actual rate of the tariffs was 4 USD per tonne for all handling charges, while the Mogadishu Port Authority was requesting 8 USD per tonne. C/raxmaan C/laahi Aadan from the Somali Business Union in Banadir Region also sent a complaint letter regarding the 8 USD per tonne handling fee as inflated by Sayid Ali (see annex 5.4.i).

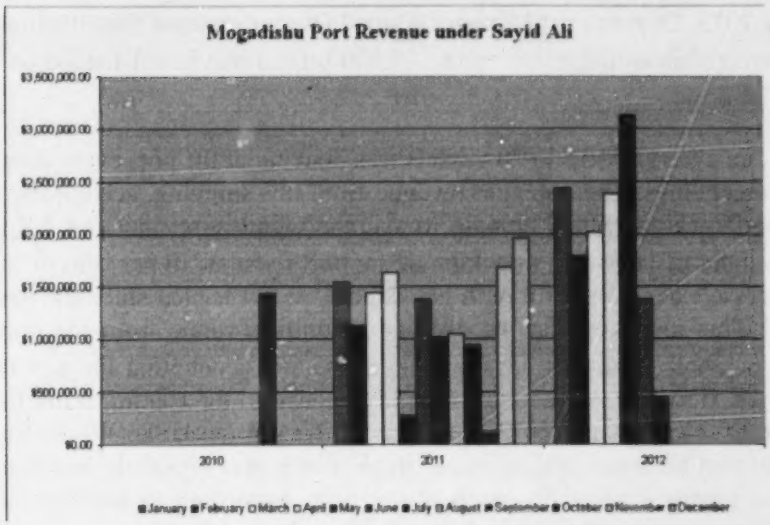
6. According to Ugas, there had not been any changes to the port charges since 2006, when the TFG took over Mogadishu port. In addition, a change to port fees would require the involvement of the stevedoring and commercial committees (see annex 5.4.h). Since Mogadishu port lacks cargo-handling equipment, it uses stevedores to manually load and offload ships, who have to pay 50 per cent of their earnings to the Mogadishu Port Authority.

7. During this same period, Dr. Cali Maxamed Yuusuf (a.k.a. 'Cali Yare') from the Attorney General's Office sent a letter to the Minister of Ports dated 21 December 2011 regarding further corruption by Sayid Ali (see annex 5.4.b). Allegations of money laundering and illegal collection of national revenues were levelled against Sayid Ali regarding 3,008,700 USD (4,317,500,000 Somali shillings) he collected from truck-owning businessmen at the port, which he claimed would be given to assist famine victims (see annex 5.4.b).

8. On 16 March 2012, port workers went on strike alleging corruption on the part of the port manager, Sayid Ali, which resulted in the workers not being paid (see annex 5.4.j). Because of Sayid Ali's close ties to then TFG President Sheikh Sharif, the workers feared assistance from the Government would not be forthcoming.[8] Around this time, Ahmed Abdi Hassan, (a.k.a. 'Watah') of the Mogadishu Port Labor Office sent a letter to the TFG Prime Minister, Abdiweli Mohamed Ali Gaas, and the international community regarding mismanagement of the port and corruption by Port Manager Sayid Ali (see annex 5.4.k). This was accompanied by a petition from the Stevedoring port employees (see annex 5.4.l). The Mogadishu Port Labor Office noted that the port fails to abide by international port regulations, and lacks rules, regulations and nationally regulated tariffs. They stressed the need for the port to be nationalised and placed under new stricter guidelines. The letter also noted that port revenue is derived from many different sources, some of which may not be accounted for in the Central Bank, but diverted illegally into private accounts. An analysis of deposits from Mogadishu port into the Central Bank during the period of Sayid Ali's management clearly indicates they are sporadic at best, and in some months absent altogether.[9]

[8] http://www.raxanreeb.com/2012/03/somalia-mogadishu-port-workers-on-strike-demanding-removal-of-port-management/.

[9] Analysis of Mogadishu port deposits from Central Bank records, accessed by the Monitoring Group in February 2013.



9. In July 2012, Sayid Ali was removed from the position of Mogadishu port manager. Maxamed Colaad Liibaan, the cashier for Mogadishu port, testified on 15 July 2012 that only 7775 USD remained in the port accounts after Sayid Ali left his post (see annex 5.4.m).

New port corruption practices

10. The current port manager, Abdullahi Ali, took office in mid-July 2012. However, Sayid Ali continued to exert influence at the port through the deputy port manager, Ahmed Abdi Kariye (a.k.a. 'Ahmed Qorqor') who remained in place. Numerous shippers describe Ahmed Qorqor's corruption at Mogadishu port.[10] He altered the modus operandi of diversion to diffuse opposition from traders and the Stevedoring Committee. Instead of overcharging handling fees, he underreported the volume of cargo being imported or exported for customs purposes and made agreements with shippers to split the difference in their savings.[11] He is also reported to share these profits with Kamal Hassan Gutale, the Chief of Staff of the President, from the same Habar Gedir / Suleiman clan.[12]

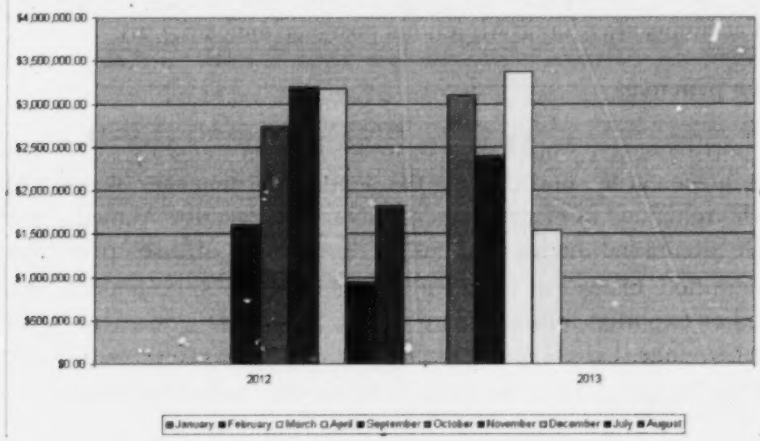
11. Given the practices surrounding misreporting of cargo, it can be difficult to monitor the type and account for the actual volume of cargo passing through Mogadishu without checking port records against shipping manifests. In addition, often two manifests exist for ships docking at Mogadishu, a real one and one used for customs purposes with the involvement of port authorities. However, the Monitoring Group has learnt through port employees that there is currently an average of 53 vessels arriving each month at Mogadishu. Of these, 16 are large ships. The average scale of cargo off-loaded is 125,000 tonnes per month, though in February 2013, a busier month, this figure rose to 140,000

[10] Interviews with numerous shippers and traders in March and April, 2013.
[11] Interviews with numerous shippers and traders in March and April, 2013.
[12] Confirmed by two port employees, Mogadishu, 15 October 2012, and an FGS official from the Ministry of Interior, 3 June 2013.

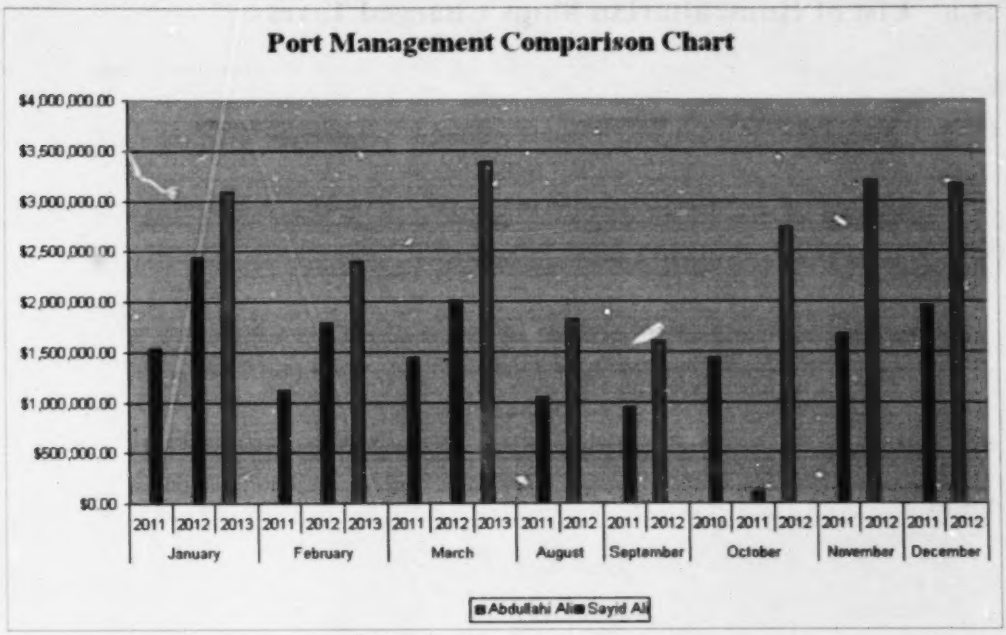
tonnes.[13] On 27 May 2013, Deputy Port Manager Ahmed Qorqor claimed that 70 ships were docking every month.[14] If correct, this would mean up to 165,000 tonnes maybe off-loaded on a regular basis at the port.

12. Prior to 2011, an average of 15 to 20 vessels was docking at the port every month, with 30 per cent of these being larger ships. The potential revenue from this shipping, accounting for 30 per cent non-taxable humanitarian cargo, would amount to average monthly revenues of 1.9 million USD.[15] While the average number of large ships docking at the port remains 30 per cent of the overall total, the total number of vessels docking per month has doubled if not tripled since the new management took over the port.[16] This indicates that the average monthly revenue from the port should be or exceed 3.8 million per month in import customs fees alone, not accounting for port fees, warehouse rentals or other charges. However, the average monthly deposit in the Central Bank from Mogadishu port between August 2012 and March 2013 totalled only 2.7 million USD. While there has been an increase in deposits of port revenues in the Central Bank, this is proportionally less than the growth in shipping, indicating a greater rate of diversion at the port. According to another estimate, at least 33 per cent of revenue generated at the port is currently unaccounted for.[17]

Port of Mogadishu Revenue under Abdullahi Ali



[13] Interview with port employee, 25 May 2013.
[14] http://english.cntv.cn/program/africalive/20120710/100281.shtml.
[15] World Bank, "Financial Diagnostic Assessment", April 2012.
[16] http://www.bbc.co.uk/news/world-africa-22404123.
[17] Abdirizak Fartaag, "Public Sector Finance in Somalia", 21 March 2013.



13. The Monitoring Group has been unable to obtain a current and official tariff sheet from the port, and different individuals provide varying descriptions of how customs tariffs are determined. On 17 October 2012, the Monitoring Group met with port manager Abdullahi Ali and requested information regarding the tariffs at the port which he refused to provide. He stated that the port was updating its website, and advised that the tariffs would be posted there.[18] To date nothing has been posted, and the website is not updated.[19] However, in 2011, the Ministry of Finance issued new tax guidelines for the port, indicating an export tax in addition to an import tax (see annex 5.4.n). Considering that most vessels load cargo for export to offset the cost of their voyage, this could increase the potential port revenue by another 950,000 USD to 1.9 million USD.[20]

14. Although there has been an increase in deposits in the Central Bank from Mogadishu port under President Hassan Sheikh's administration, the lack of transparency at the port has enabled continued diversion and corruption. Joint international and Somali management of the port with transparent accounting and regular auditing would assist the FGS in controlling its largest internal revenue stream.

[18] Interview with port manager Abdullahi Ali, Mogadishu, 17 October 2012.
[19] http://www.mogadishoport.com/pages/ - this website currently lists Sayid Ali Moalim Abdulle as the port manager.
[20] Estimate based on 25-50 per cent of potential revenue from export customs.

Annex 5.4.a: List of Humanitarian Ships Charged Taxes

rafa Abdulkadir

Lacagaha Laga Qanday Maraakiibta Mucaawinada ee la Lansadaa			
MV Gaza	2600 MT X $36		$93,600.00
MV Burak A	4500 MT X 36		$162,000.00
MV Ashraf B	3200 MT X 36		$115,200.00
MV Nabil H	3620 MT X 36		$130,320.00
Safina 2 3 jeer	17000 X 36		$612,000.00
Fadli Rabi 2 Jeer	1800 X 36		$64,800.00
Captain Mahdi	11200 X 36		$403,200.00
Dina Dona	2600 X 36		$93,600.00
Dream H	3900 X 36		$140,400.00
Reco Star	2720 X 36		$ 70,720.00
Bright Star	8000 X 36		$288,000.00
Victoria 2 Jeer	3800 X 36		$136,800.00
Amal S	4100 X 36		$147,600.00
Al Batoul	2000 X 36		$72,000.00
Torgelow X 4	1800 X 3 X 36		$194,400.00
Carolina Scan X 3	2800 X 3 X 36		$ 302,400.00
Mv Nawal Ali X 3	3600 X 3 X 36		$388,800.00
Total			$3,415,840.00

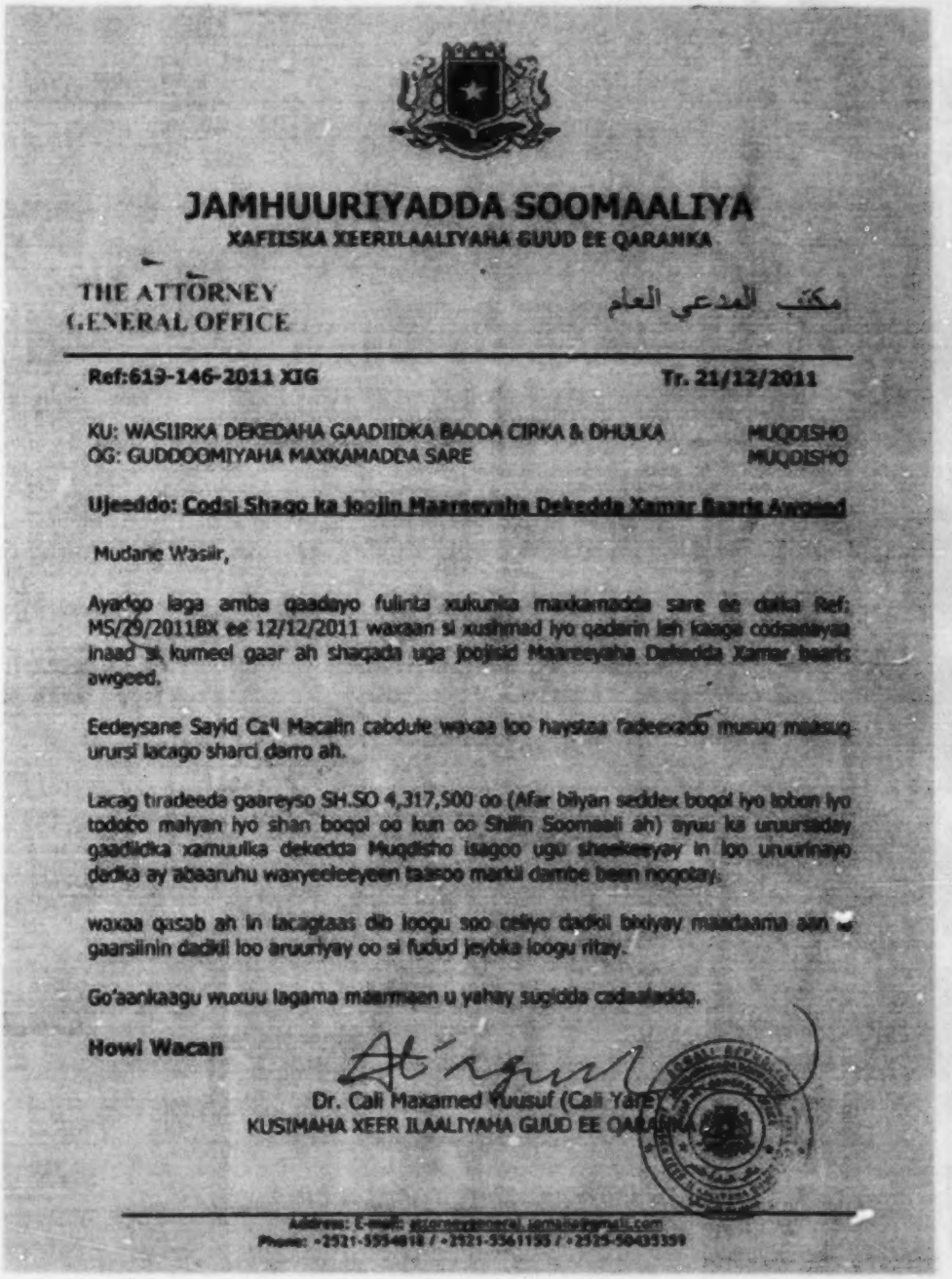
Lacagta kor ku xusan oo ka badan afar Malyan oo Duolar Mareykanka ah Laguma shubicin Account-ka Bankiga Dhexe ee Dekedda waxaa lagu kala qaatay Dibada iyadoo qaarkeedna lagu shubay Account-ka Bankiga Dahabshiil

Khidmadaha Kale ee dekedda ka soo gala Maraakiibta iyo Doomaha Dekedda ku soo xirto oo ay Bishii dhan tahay $300,000 (sedex boqol kun) taasi oo loogu tala galay in lagu horumariyo Dekedda ma jirto wax la inaban karo oo ilaa hada la qabtay.

Waxaa is weydiin mudan Madaxda Dalka ay Mas'uuliyadda ka saran tahay ilaalinta Hantida Qaran ee Dalka Ma raali ayeey ka yihiin in la lansado hantidaasi misc xog-ogaalba uma ahan arinta dhabta ah ee ka jirta Dekedda Muqdisho.

raw information collecting $36 per tonne from humanitarian cargo during the famine

Annex 5.4.b: Attorney General's Office Letter Regarding Sayid Ali



JAMHUURIYADDA SOOMAALIYA
XAFIISKA XEERILAALIYAHA GUUD EE QARANKA

THE ATTORNEY GENERAL OFFICE

مكتب المدعي العام

Ref:619-146-2011 XIG

Tr. 21/12/2011

KU: WASIIRKA DEKEDAHA GAADIIDKA BADDA CIRKA & DHULKA MUQDISHO
OG: GUDDOOMIYAHA MAXKAMADDA SARE MUQDISHO

Ujeeddo: Codsi Shaqo ka joojin Maareeyaha Dekedda Xamar Baaris Awgeed

Mudane Wasiir,

Ayadgo laga amba qaadayo fulinta xukunka maxkamadda sare ee dalka Ref: MS/29/2011BX ee 12/12/2011 waxaan si xushmad iyo qaderin leh kaaga codsanayaa inaad si kumeel gaar ah shaqada uga joojisid Maareeyaha Dekedda Xamar baaris awgeed.

Eedeysane Sayid Cali Macalin cabdule waxaa loo haystaa fadeexado musuq maasuq urursi lacago sharci darro ah.

Lacag tiradeeda gaareyso SH.SO 4,317,500 oo (Afar bilyan seddex boqol iyo toban iyo todobo malyan iyo shan boqol oo kun oo Shilin Soomaali ah) ayuu ka uruursaday gaadiidka xamuulka dekedda Muqdisho isagoo ugu sheekeeyay in loo uruurinayo dadka ay abaaruhu waxyeelleeyeen taasoo markii dambe been noqotay.

waxaa qasab ah in lacagtaas dib loogu soo celiyo dadkii bixiyay maadaama aan ay gaarsiinin dadkii loo aruurinyay oo si fudud jeybka loogu ritay.

Go'aankaagu wuxuu lagama maarmaan u yahay sugidda caddaaladda.

Howl Wacan

Dr. Cali Maxamed Yuusuf (Cali Yare)
KUSIMAHA XEER ILAALIYAHA GUUD EE QARANKA

Address: E-mail: attorneygeneral.somalia@gmail.com
Phone: +2521-5554018 / +2521-5561135 / +2525-50435359

Dated: 21/12/2011

Dear Minister,

Pursuant to the country's Supreme Court charge: Re - MS/209/2011bx dated on 21/12/2011, we respectfully request that the chairman of Mogadishu port step aside pending an investigation into Allegations of money laundering and corruption, as well as illegally collecting national revenues.

Mr. Sayed Ali Mo'alin Abdulle collected **Sh.So 4.2 billion** from trade-owning businessmen in the port, after he told them that these funds would go to helping the drought-affected people of Somalia.

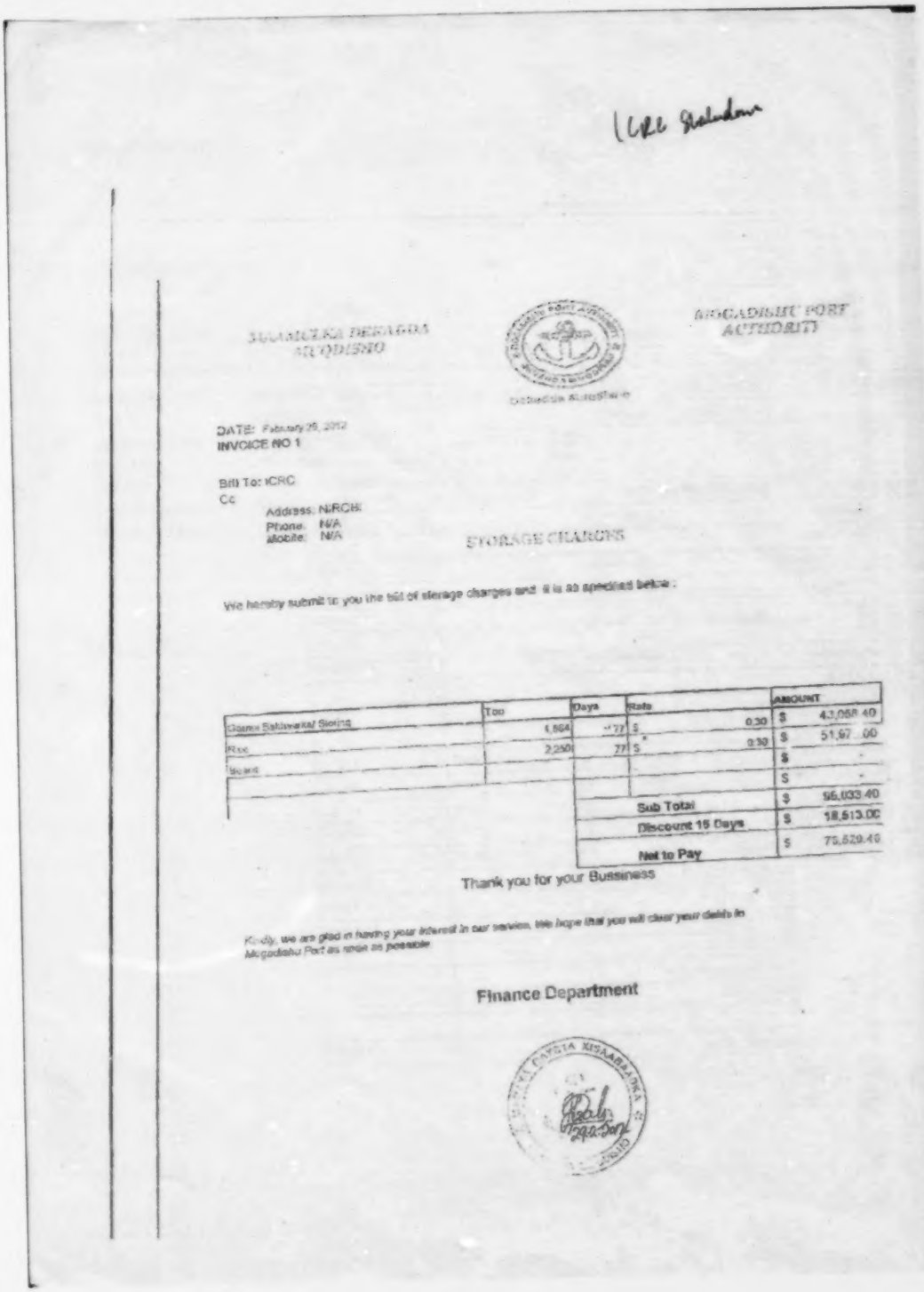
These funds must be returned to their owners, as they did not reach the intended recipients.

This decision will be necessary in the interests of nation.

Storage Rental Fees

Name of The Store	Rental agencies	Rental period	Total rent
Store 1	ICRC	3 months *$40.000	$120.000.00
Store 2	WFP	12 months *45,000	$540.000.00
Store 3	Turkish Red crescent	3 months *40.000	$120.000.00
Store 4	Iran red crescent and Emirate red crescent	3 months *30.000	$90,000.00
Four stores and Tende	UNICEF	2 years	$ 120.000.00
		TOTAL	**$ 990.000.00**

Annex 5.4.c: Mogadishu Port Authority Bill to ICRC



ICRC Statement

SOMALIZKA DEHAGGA
MUQDISHO

MOGADISHU PORT
AUTHORITY

DATE: February 26, 2012
INVOICE NO 1

Bill To: ICRC
Cc
Address: NAIROBI
Phone: N/A
Mobile: N/A

STORAGE CHARGES

We hereby submit to you the bill of storage charges and it is as specified below :

	Ton	Days	Rate	AMOUNT
Qamis Satiiweka/ Stoing	1,864	77	$ 0.30	$ 43,058.40
Rice	2,250	77	$ 0.30	$ 51,97 .00
Board			-	$ -
				$ -
			Sub Total	$ 95,033.40
			Discount 15 Days	$ 18,513.00
			Net to Pay	$ 76,520.40

Thank you for your Bussiness

Kindly, we are glad in having your interest in our service, We hope that you will clear your debts in Mogadishu Port as soon as possible

Finance Department

Annex 5.4.d: Mogadishu Port Authority Receipt for MV Amal

Mogadishu Port Authority

DATE:

Bill To: SHEIKH SAHEY

Address:
Phone:
Mobile:

25/12/2011

VESSEL NAME	ARRIVAL DATE	& DATE	VOY NO	BERTH NO
AMAL	19/12/011	25/12/011		
			GRT	4,113
			LOA	106

S/NO	CATEGORY OF PORT CHARGES	TARRIF		AMOUNT
1	Anchorage	4,113x0.05		$ 205.65
2	Ship Entrance			$ 550.00
3	Pilotage / Mooring	4.13x0.10+500		$ 911.30
4	Dockage	106x2x8days		$ 1,696.00
5	Pilot Boat			$ 150.00
6	Tug Service	1,302.4x2		$ 2,604.80
7	Security Boat			$ 330.00
8	Free Pratic			$ 150.00
9	Firefighting Truck Service			$ 100.00
10	Ministry of Health			
11	Watchmen Service	8days x	140.00	$ 320.00
12	Garbage Collection	8days x	$ 40.00	$ 320.00
13	Port Security	8days x	$ 30.00	$ 240.00
14	Pier Clearing Service	8days x	$60.00	$ 480.00
15	Increase (Fridays / Holidays)	Friday	$ 85.00	$ 85.00
	SABTOTAL(A)			8,142.75
	INCREASE 25%			2,035.68
	SABTOTAL(B)			10,178.43
	sport fee 1.5%			152.67
	Stevedoring Commission			
	Other Charges			
	General total =			$ 10,331.10

PAID

25-12-2011

DDA

Annex 5.4.e: MV Amal Dahabshiil Deposit Receipt

Deposit Voucher

Page 1 of 1

Deposit Receipt

Print Close

Dahabshiil

DKD

Tel/Fax :

Teller : DKDUSER2

Date : 12/27/2011

Client ID	MUQD0000518
Rec No	MUQ01031575
Customer Name	DEKEDDA MUGDISHU
Remarks	D/F018940
Depositor	MV AMAL "ABDULAHI ABKOW"
Deposit Amount	$19,575.00
Amount in Words	Nineteen Thousand Five Hundred Seventy-Five Dollars and Zero Cents

Cashier's Signature

Customer's Signature

Annex 5.4.f: Mogadishu Port Authority Bill for MV Amal

MAAMULKA DEKADDA
MUQDISHO

Dekedda Muqdisho

MOGADISHU
PORT
AUTHORITY

DATE: January 2, 2012
INVOICE NO 1

Bill To: Al Mustaqim
Cc WFP
Address Muqdisho
Phone N/A
Mobile N/A

SHORE HANDLING EQUIPMENT CHARGES

We hereby submit to you the bill of Shore handling equipment charges and it is as specified below :

VESSEL NAME		ARRIVAL DATE		BERTH NO
MV Amal		18/12/2011		3

Dejinta Dhoega (Ka soo saarista Godka iyo Banaan Dhigis)/Discharging	Tonnage	Rate	AMOUNT
Bags Digir, Misir, Maize, Mesego, Pitat	4687.85	$ 8.00	$ 37,342.80
S/Cr	60	$ 8.00	$ 480.00
			$ -
			$ -
Saarista Baa'buurta / Loading to Trucks			$ -
Bags Digir, Misir, Maize, Mesego, Pitat	4687.85	$ 2.00	$ 9,335.70
S/Cr	60	$ 2.00	$ 120.00
			$ -
			$ -
Khidmadda Adeega Baa'buurta/ Transportation Service	Bags/Cr		
Bags Digir, Misir, Maize, Mesego, Pitat	94367	$ 0.20	$ 18,871.40
S/Cr	5978	$ 0.12	$ 717.12
		Sub Total	$ 66,867.02
		Advance Payment	$ 19,575.00
		Net to Pay	$ 47,292.02

Thank you for your Business

Kindly, we are glad in having your interest in our service. We hope that you will clear your debts to Mogadishu Port as soon as possible

Finance Department

Annex 5.4.g: Al Mustaqeem Letter to Stevedoring Committee

AL NOOR AL MUSTAQEEM GEN. TRD. (L.L.C)
Tel: +252 -1-5960179 Mobile: +252-5-960179
E-mail: almustaqeemmog@yahoo.com

Date. 18/01/2012

Ref:Al-G-T/06/12

TO: Shirkadda Saarista & Dejinta ee Dekedda Muqdisho

UJEEDO: WEYDIIN ISBEDEL TARIIFO

Tixraac Qaansheegatada Lambarkeedu yaha 01 kana soo baxaday dekadda Muqdishu lana xarriirtay Qaansheegad Shore handling ayaa waxaan maamulka Shirkadda Saarista & Dejinta ee Dekedda Muqdisho (MOGADISHU PORT STEVEDORING CO) si naxariis leh u weydiinaynaa in ay jawaab waafi ah naga siiyaan qodobada hoos ku faahfaahsan,:

1) Tariifada looga soo saaro Godka iyo Banaan dhigista?
2) Tariifada lagu saaro Baabuurta?
3) Makala bedelan yihiin Tariifada Ganacsiga iyo Mucaawinada ee stevedoring ka?

Mar kale waxaan si naxariis leh uga codsanaynaa in dhamaan su'aalahaan ay nooga soo jawaabaan, haddii ay jiraan wax isbedel tariifo ah oo lagu sameeya tariifada stevedoring ka uu qaato.

Waxaan si naxariis leh uga codsanaynaa Maamulka Shirkadda in aad noo soo jawaabtiin si deg deg ah adinkoo nuali ah.

Mahadsanniid

Maxaa Hawlgalinta
Cumar M. Axmed

Annex 5.4.h: Official Letter From Stevedoring Committee

SHIRKADDA SAARISTA & DEJINTA
EE DEKEDDA MUQDISHO

MOGADISHU PORT
STEVEDORING CO.

REF: MPS/xG/015/12 Date: 19/01/2012

TO: AL -Noor Al-Mustaqeem General Trading Co (LLC) MOGADISHU- Somalia

RE: REQUEST FOR CLARIFICATION OF PORT TARIFF

Reference is made to your letter Ref. No. AL-G-T/06/12 dated 18/01/2012 pertaining to above-mentioned subject matter

Our clear reply is as below depicted:

Tariff for 'Stevedoring charges from hold to shore and Truck Loaders including Co-operative and Mogadishu port Management is USD 4/=(Four) per Mt.

1-Breakdown:

a) Laborers - 1- from hold to shore ——————USD 1.7568

2- Truck Loaders ——————USD 1.2404

b) Co-operative Management ——————USD 0.5014

C) Mogadishu Port Management ——————USD 0.5014

2- It is not possible to have two port tariffs in the same port, so, There is no any official Tariff change for commercial commodities different from donation commodities and please be advised whenever any proposal change Tariff, There must be present Stevedoring and Commercial Committees, in the meantime they should be part of that decision. However, here in Mogadishu Port there were no any changes or amendments for port tariff from 2006 up to 2012.

At the present moment Mogadishu Port has no handing equipment. Only it uses private equipment and MPA takes from the equipment owners USD 23% of the whole charges.

We, as Stevedoring Company clarify that, our Management is working under control of Mogadishu Port Authority which we provide Mogadishu Port Authority USD 50% from the Co-operative share.

Yours Trustfully,

Mr. Mohamud Ali Ugas

Chairman of Mogadishu Stevedoring Company

SHAASHTA SAARISTA & DEJINTA MOGADISHU PORT STEVEDORING UNION DEKEDDA MUQDISHO

Tel: 00252-5-963199 / 252-1-5581298 E-mail:

Annex 5.4.i: Official Letter from Banadir Somali Business Union

SOMALI BUSINESS UNION IN BANADIR REGION

MIDOWGA GANACSATADA SOOMAALIYEED EE GOBOLKA BANAADIR
Tel: 2121-650430, 2121-650320, Fax: 2525-934449 E-Mail: mggb1999@gmail.com

Ref: MG/GS/04/2281/2012 Date: 18/01/2012

Ka: Waalidka Wasaaradda Dakhaliyaha Gaadiidka Ciidda &Dhulka «Muqdisho»

Ujeedo: Dalbasho

Mudane: Waalir waxaan haykaan hugu aco gudbinaanaa osbeshadaana ku aadan dhibaato joogtada noqotay sa ka jirta gudaha dakada muqdisho laalana sh adiaan hoos ku qu

1) In la joojiyo shaashada gaadiidka ee ka hoolgala dakada Muqdisho. Kadib Markii ay la fahfhmaan adeegii ay u hayaan Ganacsatada kadib markii ay ku dhageegaan Dhac. Boob iyo Fagaaho.
2) In la joojiyo lacagaha aida shariidaraada sh loga qaado muqaawinada kadegta dalrada Muqdisho laas oo ay qaado Waaaaradda Dakhaliyaha Gaadiidka Ciida & Dhulka lacagtaas oo dhan $8.00 (sideed dollar) Tan kil.
3) In wax laga qabto maaauulyadarada ka jira gudaha dakada eda badweaada oo baada gaadhaaa la aan
4) In la joojiyo lacagaha qaldan ee ku jira Port chargee-ka.

N.B: Mudane, warbixinada qaar, iyagoo fasiraheen waxay ku qoraayhiin Ifaaqa.

Mahadsanidin

Kuxigeha Guddoomiyaha Midowga Ganacsatada Gobolka Banaadir
Cheaumaan CAadii Aadan (Galaanbi)

Annex 5.4.j: Stevedoring Lost Income for One Month

Marwa H

5/9/2012

Calls

USD 55

DAYMAHA LAGU LEEYAHAY EE UU MAAMULKII HORE KA TEGAY

[illegible]

DESCRIPTION	AMOUNT
STEAVDORING	$89'483
PRIVATE CRANES	$107'612
TRANSPORTATION UNION	$21'155
BANDING DEET	$70'123
C. TOTAL	$288'375

This is the one month of claim by the port workers that they were not paid

Annex 5.4.k: Mogadishu Port Labor Office Complaint Letter

To: TFG. Prime Minister
CC: International Community

Sub: Maladministration

We hereby submit a general situation of Mogadishu Port in connection with maladministration for Labors, Revenue and reckless of management or job.
It is well aware that Mogadishu Port is an International port that being in need of qualified Administrator whose international knowledge, sufficient experience with administration and skillful management.
As a matter of fact, the Mogadishu port manager almost failed port management, really here in Mogadishu port, that any time, there are more quarrel, complaint and hindrance about port operation and it seems to close to fail accomplishment of the national task in the near future, if it is not taken immediate steps towards this maladministration.
It is unfortunate that top national leaders always solve port problems in the meantime the Mogadishu port Manager is sitting at his desk.
The mistreatments of the port manager are too much, but we submit some of them on the below detailed report.

1-Laxity on the port operation:

The Mogadishu port Manager does not follow the smooth operation of different berths. His daily activity is only making visitor's reception that most of them are politicians.
The Manager also does not follow the crises looming at the Mogadishu Port, which are being perfonned the services assigned to it and he does not repair different damages sustained to port. He only gives importance how to defraud port assets.
The good managing of an Autonomous agency works recognized Rules and Regulations those guidelines the current job but Port manager's Rule and regulation are what he told from his tongue it's something sorrowful that Mogadishu port has no written rules, regulations and tariffs.

2-Mistreatment of Labors

According to Somali Civil Service Law and Somali Port Authority' Regulation that all Agency workers should be employed and managed the above two Regulation Articles, but Mogadishu Port Manager has taken away duties from Head of Departments, Divisions and Sections who had good experience and in charged new workers he put them into the port without conformity with the regulations, the aim to this is to execute his wicked instructions.
All Circulars that he took away duties from above Head of Departments and placed new ones, he did not give any copy to the National leaders, this means there is no any top responsible man he takes order from him for changing and movement of the port.
The Head of Departments, Divisions and Sections have been taken away duties were 29 people who were skillful and experienced workers in the port.

3-Port Assets:

Port warehouses are part of port assets belongs to it, where Mogadishu Port Manager handed over to Organizations, which possessing their own workers that have been employed from town, while port workers are outside the port. This event of this mistreatment is new to Mogadishu Port Assets and we urge the authorities to take action quietly.

4-Collection Revenue

There are International Port Regulations, and recognized Tariffs by different Government Departments, Regional and International Ports.
But it is unfortunate that Mogadishu Port is an International Port that has no special Rule, Regulation and Tariff which guidelines Port Management and Port Customers.
As we are aware that Mogadishu Port has no national tariff and its Financial Manager works an illegal tariff that does not cover with port Rules, this facilitated possibility of collecting different service charges, which are contradiction.
We would kindly request you to nationalize port Management, in the meantime to produce new law and effective tariff.

5-Port Income:

In December 2006, TFG Government retrieved port management. During this period, Mogadishu port earned too much income, which has not been managed as regulation and accounts system.
Really, the income from port service charges would not be passed through Government Audit and there is neither real account settlement (proper accountability) nor national sincerity (probity) or transparency.
As we all know, that port income derives from different resources, most of them would not be exposed on statement of accounts or saved in the national central bank, in return for, and it would be diverted to a private illegal A/C in order to defraud port income.

6- Placement of labors:

Recruiting of port labors does not pass on to labor organizers and do not take examination for knowing his/her level education. Port management employ them as family relationship and friendship forms etc. witnesses are found in individual personal files.
Mogadishu port manager has cancelled all morality, labor, rewarding and punishment committees, so not finding these committees permitted him to do labor and labors whatever he likes, and it does not conformity with regulation.
Therefore, port labors are requesting to national leaders and international organizations to update port management and to nationalize port operation. Now Mogadishu port seems a place where belongs to a private person who can do whatever he intended.
Port labors are also requesting national leaders to bring port manager before nominated good judgment committee including port labors that always follow his accountants system and insiders of all income resources.

In considering to a great importance of the port, it is necessary to correct port administration and take a quick action in order to protect port interest.

We hope that you will take an action quietly

Mogadishu Port Labor Office
Mr. Ahmed Abdi Hassan

(Wahaa)

Annex 5.4.I: Stevedoring Port Employee Petition

LIISKA SAXIIXAYAASHA CABASHADA

No	Magac	Xilka Laga Qaaday	Saxiix
1.	Axmed Cabdi Xasan Wat	Madaxa Waaxda Sheegashada & Socodka Badeecadda	
2.	Cilse Max'ed Cabdi	Madaxa Waaxda Saarista / Dejinta	
3.	C/raxmaan Xuseen Cabdi	Madaxa Waaxda Gaadiidka & Farsamada	
4.	Cali C/raxmaan Daahir	Madaxa Waaxda Xisaabaadka	
5.	Mahad Cumar Cali	Madaxa Qeybta Socodka Badeecadda (2)	
6.	C/qaadir Xuseen Cusmaan	Madaxa Marsada Waqooyi	
7.	Cabdi Yuusuf Axmed	Madaxa Marsada Koofur	
8.	Shuriye Ibraahin Cabdi	K/X Madaxa Qeybta Sheegashada &	
9.	Max'ed Cumar Cali	K/X Madaxa Qeybta Xisaabaadka	
10.	Salaad Cali Caadle	K/X Madaxa Qeybta Gaadiidka & Farsamada	
11.	Cali Max'ed Cilmi	Madaxa Laanta Kuntainarada & barxadaha furan	
12.	Yuusuf Warsame Afrax	Madaxa Laanta Bakhaarada	
13.	Guuleed Ibraahin Cilmi	Madaxa Bakhaar No 1	
14.	Xasan Max'uud Max'ed	Madaxa Bakhaar No 2	
15.	C/laahi Xasan Rooble	Madax Bakhaar No 3	
16.	Cumar Cali Caadle	Madaxa Xafiiska Koontarafisito	
17.	Axmed Xaashi Axmed	Madaxa Xafiiska Gatepass Control	
18.	Qorane Cilmi Cali	Madaxa L. Macadaadka	
19.	C/laahi Geedi Fiidow	Madaxa Khasnadda ilinka	
20.	Saleymaan Ibrahin Max'ed	Madaxa Laanta Xisaabaadka	
21.	Max'ed Colaad Lilbaan	Madaxa Laanta Khasnadda	
22.	Max'ed Cusmaan (M. Gaab)	Madaxa Laanta Gaadiidka	
23.	C/laahi Max'ed Abuukar	Iibiyaha Qalab Xafiiseedka	

Shaqaalaha kor ku xusan waxaa laga bedelay goobaha ee ay khiradda u lahaayeen ayadoo aysan jirin sabab la ogyahay oo loo cuskaday islmarkaana aan la ogaysiin hay'adaha ka sareeya sida Wasaaradda iyo Wakaaladda.

Waxaa intaasi dheer in Maareeye Ku Xigeenkii hore Md. Axmed Cali Hilowle uu iska casilay xilkiisa shaqo ka dib markii uu u dulqaadan waayay maamulxumida iyo dhaqanka xun ee Maareeyaha dekadda.

Annex 5.4.m: Mogadishu Port Cashier Testimony of Funds Remaining

Magaca : Maxamed Colaad Liibaan.
Hooyo : Xabiiba Guure .
Ku dhashay : Xamar.
Da'da : 51 sano jir.
Deggan : Xamar jab-jab
Shaqada : Madaxa Qasnadda Dekedda Xamar.

Ujeeddo :Caddeyn

Anigoo ah ninka magaciisu kor ku xusan yahay waxaan caddeynayaa inay ii yimaadeen kooxa ka socota Xafiiska Hantidhawrka Guud ee Dawladda manta oo ay taariikhdu tahay 7/2/2012 iyagoo ka tirinyay qasnadda aan masuulka ka ahay lacag dhan Sh.So. 13,408.000/= iyo Lacag Doollar ah oo Cadadkeedu yahay US$ 7.775,

S/J: wax Lacag ah oo intaas dhaafsan oo aan hayo ma jirto.

Muq:7/2/2012

Caddeeye:
Maxamed Colaad Liibaan.

The cashier is saying that he only has $US 7.775 in the account after Somali Ali Cancels

Annex 5.4.n: 2011 Port Tariff Sheet

Licence Processes & Fees

I. Canshuuraha Furdooyinka Dalka

TARTIIBA CUSUB IYO FAAFAAHIN new Tax

1. Canshuuraha Badeecadaha

S/N	Faahfaahin Badeecada (Description of Goods)	Halbeegga Cabbiraadda (Unit Measurement)	TACRIIFADII HORE US$	TACRIIFADDA HADDA US$
1.	Sonkor	Kiish (50kg)	1.00	2.00
2.	Hariis	Kiish (50kg)	1.00	1.50
3.	Bur	Kiish (50kg)	1.00	1.50
4.	Baasto	Kerton (10kg)	0.33	1.00
5.	Maraq Digaag	Kartoon	1.00	4.00
6.	Daawo	Kartoon	1.00	2.00
7.	Qamo Waa-weyn	Katoon	0.33	2.00
8.	Qamo Yar-yar	Karoon	0.33	1.50
9.	Qamo yar (Bac)	Bac (10kg)	0.33	0.75
10.	Cabaahoore (Cost, Mamas RAM)	Katoon	1.00	4.00
11.	Canaanaas, (Orongo, Margo),(WM)	Karoon	1.00	3.00
12.	Barafuun	Katoon	1.00	10.00
13.	Electronic Goods	Kartoon	2.00	12.00
14.	TV Radio Mobile IWM	Kartoon	2.00	14.00
15.	Saxda curtada 20ltr	20 ltr	1.00	3.00
16.	Saxda curtada Fuusto	Fuusto	5.00	8.00
17.	Shidaal Baxsin	Fuusto	5.00	8.00
18.	Shidaal Naafto	Fuusto	5.00	8.00
19.	Shidaal Baxsin Ton	1 Ton	20.00	20.00

20.	Shidaal nafto Ton	1 Ton	15.00	15.00
21.	Lamiyoori Ton	1 Ton	18.00	18.00
22.	Biraha Shubka Ton	1 Ton	20.00	22.50
23.	Kartoon Cabeysan more then 15kg	Weyn	2.00	5.00
24.	Kartoon Cabeysan les then 15kg	Yar	1.00	3.00
25.	Jawaan cabeysan (Bandle)weyn	Weyn	15.00	20.00
26.	Jawaan Cabeysan (Bandle)yar	Yar	11.20	15.00
27.	Shandad ku jiraan alaab ganacsi	Weyn	15.00	20.00
28.	Shandad ku jiraan alaab ganacsi	Yar	11.20	15.00
29.	Bandle dhar (Weyn)	Weyn	15.00	20.00
30.	Bandle dhar (yar)	Yar	11.20	15.00
31.	Bandle Maacuun (weyn)	Weyn	15.00	20.00
32.	Bandle Maacuun (yar)	Yar	11.20	15.00
33.	Bandle Alaab kala gadisan ganasi	Weyn	15.00	20.00
34.	Bandle Alaab kala gadisan ganasi	Yar	11.20	15.00
35.	Alwaax	1MI3	15.00	18.00
36.	Viimto	12 Dhalo	1.00	2.00
37.	Sigaar Beenson	Kartoon	2.00	10.00
38.	Sigaarada Royal iwm	Kartoon	2.00	8.00
39.	Shamiinto	Kiish	0.75	1.25

2. Matoorada Dabka dhaliya (Generators)

S/N	Faahfaahin Badeecada (Description of Goods)	Halbeegga Cabbiraadda (Unit Measurement)	TACRIIFADII HOORE US$	TACRIIFADDA HADDA US$
40.	Electric generator up to 1.5KVA	UNIT	00	30.00
41.	Electric generator up to 3.5KVA	UNIT	00	50.00
42.	Electric generator up to 5KVA	UNIT	00	80.00
43.	Electric generator up to 7.5KVA	UNIT	125.00	140.00
44.	Electric generator up to 10.5KVA	UNIT	125.00	200.00
45.	Electric generator up to 12.5KVA	UNIT	125.00	240.00
46.	Electric generator up to 15KVA	UNIT	250.00	320.00
47.	Electric generator up to 20KVA	UNIT	250.00	440.00
48.	Electric generator up to 30KVA	UNIT	250.00	700.00
49.	Electric generator up to 40KVA	UNIT	250.00	960.00
50.	Electric generator up to 50KVA	UNIT	250.00	1300.00
51.	Electric generator up to 60KVA	UNIT	250.00	1600.00
52.	Electric generator up to 75KVA	UNIT	250.00	1900.00
53.	Electric generator up to 100KVA	UNIT	250.00	2400.00
54.	Electric generator up to 120KVA	UNIT	250.00	3000.00
55.	Electric generator up to 130KVA	UNIT	250.00	3400.00
56.	Electric generator up to 140KVA	UNIT	250.00	3700.00
57.	Electric generator up to 150KVA	UNIT	250.00	4000.00
58.	Electric generator up to 160KVA	UNIT	250.00	4400.00
59.	Electric generator up to 170KVA	UNIT	250.00	4700.00
60.	Electric generator up to 200KVA	UNIT	250.00	5500.00
61.	Electric generator up to 200-250KVA	UNIT	250.00	6400.00
62.	Electric generator up to 251-300KVA	UNIT	250.00	7600.00

3. Canshuuraha Baterига baabuurta (Car Batteries)

S/N	Faahfaahin Badeecada (Description of Goods)	Halbeegga Cabbiraadda (Unit Measurement)	TACRIIFADII HORE US$	TACRIIFADDA HADDA US$
63.	Car Batteries 40 Amp Eur/Japan	UNIT	2.00	4.55
64.	Car Batteries 50 Amp Eur/Japan	UNIT	2.00	5.95
65.	Car Batteries 70 Amp Eur/Japan	UNIT	2.00	8.75
66.	Car Batteries 100 Amp Eur/Japan	UNIT	2.00	10.5
67.	Car Batteries 120 Amp Eur/Japan	UNIT	2.00	12.95
68.	Car Batteries 150 Amp Eur/Japan	UNIT	2.00	15.75
69.	Car Batteries 50 Amp Korea/China	UNIT	2.00	3.85
70.	Car Batteries 70 Amp Korea/China	UNIT	2.00	4.55
71.	Car Batteries 100 Amp Korea/China	UNIT	2.00	6.30
72.	Car Batteries 120 Amp Korea/China	UNIT	2.00	8.40
73.	Car Batteries 150 Amp Korea/China	UNIT	2.00	11.55

4. Canshuuraha Gaadiidka la soo dalyo (Imported Vehicles)

S/N	Faahfaahin Badeecada (Description of Goods)	Halbeegga Cabbiraadda (Unit Measurement)	TACRIIFADII HORE US$	TACRIIFADDA HADDA US$
74.	Baabuurta tareelsha	PCS	1,800.00	1,800.00
75.	Baabuurta N3	PCS	1,350.00	1,600.00
76.	Baabuurta 110	PCS	1,200.00	1,500.00
77.	Baabuurta Landcruser NVM	PCS	540.00	900.00
78.	Baabuurta Orolla/Mark 2 iwm	PCS	405.00	700.00

Annex 5.5: Somalia's petroleum sector: threats to peace and security and corruption risks

Threats to Peace and Security

Divergence of the Somali Provisional Constitution and the Petroleum Law

1. Fundamental discrepancies exist between Somalia's Provisional Constitution, adopted by the National Constituent Assembly (NCA) on 1 August 2012, and the Transitional Federal Government (TFG) Petroleum Law of Somalia, gazetted on 7 August 2008.[1] The Somali Constitution gives considerable autonomy to regional Governments to enter into commercial agreements, independently from the central Government. However, the Petroleum Law, which has not been adopted by the FGS parliament but which is nonetheless currently being invoked by FGS officials in Mogadishu, states that the central Government enjoys the privilege to distribute natural resources (see annex 5.5.a for relevant sections of the Petroleum Law).[2] These inconsistencies, unless resolved, may lead to increased political conflict between Federal and regional Governments that risk exacerbating clan divisions and therefore threaten peace and security.

2. Article 44 of the Provisional Constitution states that "*the allocation of the natural resources of the Federal Republic of Somalia shall be negotiated by, and agreed upon, by the Federal Government and the Federal Member States in accordance with this Constitution*".

3. In addition, article 54 also states that "*the allocation of powers and resources shall be negotiated and agreed upon by the Federal Government and the Federal Member States (pending the formation of the Federal Member States) except in matters concerning A) Foreign Affairs; B) National Defence; C) Citizenship and Immigration: D) Monetary Policy, which shall be the powers and responsibilities of the federal government*".

4. Finally, article 142 states that "*until such time that all the Federal Member States of Somalia are established and the adopted Federal Member State Constitutions are harmonized with the Somali Federal Constitution, the Federal Member States existing prior to the provisional adoption of this Provisional Constitution by a National Constituent Assembly shall retain and exercise powers endowed by their own State Constitution*".

5. On the other hand, article 3 of the 2008 TFG Petroleum Law states that "*petroleum belongs to the Somali nation and it will be protected and distributed by the central government and its agencies according to the law of the Republic of Somalia*". Under Article 7, the law states that "*all agreements pertaining to petroleum that were signed after 1991 with the entities purporting to be governments of all or any part of Somalia are considered non valid agreements*".

[1] Petroleum Law of Somalia Law No. XGB/712/08 dated 6 August 2008.

[2] See http://somalianews.files.wordpress.com/2012/07/120708-harmonized-draft-constitution-eng-tran-_incl-errata-changes.pdf for copy of the Provisional Constitution, which was ratified on 1 August 2013.

6. While the Petroleum Law also states that revenues derived by petroleum resources would be divided between the Federal and regional Governments subject to further legislation, the Monitoring Group is not aware of any revenue sharing formula that has been adopted or meaningful discussions between the FGS and the regions on the issue of ownership and licensing of petroleum resources.

7. In the absence of clear agreements between Federal and regional Governments, continuing oil industry activity may therefore constitute a threat to peace and security until the FGS and its regional Governments can overcome such constitutional and statutory discrepancies.

Conflict between the Federal Government and regional authorities

8. The changeover from a Transitional to a Federal Government in Somalia has sent a strong signal to many oil companies who have waited since the collapse of the state of Somalia in 1991 to renew their prior licenses that were placed on hold on grounds of *force majeure*. Many oil companies are now considering resuming oil exploration across the country especially since technological advances in the oil industry since 1991 have made the discovery of oil reserves more probable. For a map and list of prior holders, see annex 5.5.b.

9. Negotiations to reactivate prior licenses are currently underway and are being led by a number of former TFG officials who purport to represent the Somali Petroleum Company (SPC) and who have been re-appointed by the FGS. According to official letters of appointment that were obtained with the Monitoring Group, the key officials in question are:

1) Dr Hussein Ahmed, the director of the SPC.

2) Dr Abdullahi Haider, Special Adviser to the TFG Minister of Petroleum Affairs, and unofficial Special Adviser of President Hassan Sheikh Mohamud on oil issues.[3]

3) Patrick Mollière, Adviser to the Somali Federal Government on Petroleum Affairs.[4]

10. Abdullahi Haider has publicly maintained that oil licenses awarded by regional governments are illegal and that prior license holders will be considered as privileged partners, over and above any licenses that have already been granted by regional governments, notably Puntland and Somaliland.[5]

[3] Meeting with a Nairobi-based US diplomat, 30 May 2013.

[4] The Group has seen a 17 February 2013 appointment letter for Patrick Mollière signed by FGS Minister of Natural Resources Abdirizak Omar Mohamed. Mollière had previously been appointed on 14 January 2012 by TFG Minister of Water, Energy, Petroleum and Mineral Resources, Abdulkadir Mohamed Diesow, where he was thanked for his work for the Somali Government for the prior six years. In addition, Mohamud Olow, Somalia Ambassador to Indonesia is regularly privy to internal SPC discussions. Olow was involved in obtaining financing from Indonesian oil and gas company MedcoEnergi for the drafting of the 2008 Petroleum law, the costs of which are now to be offset by the award to MedcoEnergi of Somali oil acreage.

[5] Haider was quoted as "a senior adviser to Somalia's Ministry of Energy" in a 2 October 2012 article by Reuters as saying prior holders would be "given priority". See http://www.reuters.com/article/2012/10/02/somalia-oil-exploration-idUSL6E8L2O7D20121002.

11. Several prior license holders, who are supported by the petroleum team above, are in open conflict with regional governments who since 1991 have signed new deals with oil companies, some of which directly overlap with prior license holders. Examples of such conflict include the following cases:

1) The FGS considers the activities of the Africa Oil consortium in Puntland as illegal. US oil major ConocoPhillips continues to claim territory being exploited by Africa Oil as part of its prior license (see annex 5.5.c.).

2) BP is currently in conflict with South African oil firm Ophir Energy Limited, which has been licensed by the government of Somaliland to operate in blocks defined by the Somaliland authorities as SL9 and SL12.[6] Some of Ophir's claims clash with blocks 35 and M-10A, which are claimed by BP (see annex 5.5.d. for map and 5.5.e. for BP's claim).[7]

3) Norwegian oil company DNO entered into a Production Sharing Contract with the authorities of Somaliland in April 2013.[8] The area under contract clashes with a prior license held by ConocoPhillips.

4) The FGS also challenges the legality of recent agreements between the Somaliland authorities and Anglo-Turkish oil company Genel Energy, which in 2012 was awarded a 75 per cent interest in what is referred to as the Genel Block, and a 50 per cent interest in the Odewayne Production Sharing Agreement (PSA).[9]

5) US oil firm Liberty Petroleum, through its affiliate Petro Quest Africa, has signed a Production Sharing Agreement with the regional government of Galmudug, which has been upheld by a 19 March 2013 Somali Supreme Court ruling.[10] The area licensed by Galmudug to Petro Quest Africa, however, falls into a prior license claimed by Shell (see annex 5.5.f.).

[6] Also see http://www.ophir-energy.com/our-assets/our-assets.aspx.

[7] Also see http://somalilandtimes.net/199/22.shtml, original source The Economist Intelligence Unit, 2005.

[8] See http://www.dno.no/dno-operations/somaliland/.

[9] See http://www.genelenergy.com/operations/somaliland.aspx for details of Genel Energy's licenses in Somaliland. In an interview with the Monitoring Group on 12 March 2013, an FGS oil official claimed that the 2012 Genel Energy agreements with Somaliland were illegal. Genel Energy meanwhile has announced it will drill two wells in the Genel Block by 2015. See 30 October 2012 article: http://www.reuters.com/article/2012/10/30/somalia-exploration-somaliland-idUSL5E8LUDPU20121030. Genel Energy CEO is Tony Hayward, who is on the board of London-listed commodities trader Glencore. Hayward's chairman at Glencore, Simon Murray, has announced in 2012 that he would be chairing a new private security operation, Typhon, to counter piracy in Somali waters, see: http://www.bbc.co.uk/news/world-africa-18209357; http://www.telegraph.co.uk/news/worldnews/piracy/9016188/Typhon-fights-back-against-pirates.html.

[10] Sources within the FGS argue that the Supreme Court ruling, signed by the President of the Supreme Court Aided Abdullahi Ilkahanaf, was motivated by his loyalty to Qeybdiid over and above existing Somali law.

Oil negotiations in Galmudug State

12. Apart from the Petro Quest Africa deal, the Monitoring Group has obtained information of engagement between Abdi Hasan Awale Qeybdiid (Hawiye / Habar Gedir / Sa'ad), the President of Galmudug state in central Somalia, and a number of other oil companies. The Monitoring Group has obtained email correspondence documenting negotiations between GTC Global, a Houston-based oil servicing company, and Abdi Hasan Awale 'Qeybdiid'. The correspondence details a request for 3.5 million USD made by the government of Galmudug as part of a PSA that was being negotiated with GTC Global at the time the correspondence was written on 18 August 2012 (see annex 5.5.g.).

13. The Monitoring Group has been in contact with a representative of GTC Global who said the company did not pay any money to the government of Galmudug, and who claimed that the government of Galmudug has instead entered into negotiations with several other oil companies.

14. On 11 October 2012, a delegation composed of Alain Madelin, former French Finance Minister, Philippe Bohn, former Africa Director and adviser to the Strategy Director for EADS, a French journalist from *Le Figaro*, Renaud Girard,[11] and Abshir Aden Ferro, a French-Somali businessman, travelled by road from Galkayo to Hobyo, escorted by Qeybdiid and his militia.[12]

President Qeybdiid, Abshir Aden Ferro and Alain Madelin, on the road back from Hobyo to Galkayo, on 11 October 2012 (see additional photographs in annex 5.5.h.)

[11] Renaud Girard, « Expédition dans le fief des pirates somaliens », Le Figaro, 15 October 2012.
[12] The delegation had to leave Hobyo soon after its arrival, after being attacked by two pick-up trucks mounted with anti-aircraft weapons, reportedly belonging to Suleiman militias; "Heavy fighting erupts in Hobyo district of Mudug region", Raxanreeb, 11 October 2012, and "Pirates 'expel' Qeybdid from Hobyo", Radio Bar Kulan, 11 October 2012.

15. According to a confidential source with extensive knowledge of oil negotiations in Galmudug, the French delegation of businessmen travelled to Galkayo and Hobyo on behalf of Total, a French oil company.[13] Nevertheless, during a meeting with the Monitoring Group, Abshir Aden Ferro denied Total's involvement in this project, and refuted the existence of a project aimed at establishing a counter-piracy programme in the Mudug region.[14]

16. It is indeed not clear what was the real aim of such a high-level, although unofficial, French delegation.[15] However, the Monitoring Group has received information confirming the association between the Galmudug authorities and a group led by Abshir Aden Ferro, with included also Chris Moore, former Drum-Cussac President for North-America, and a representative of the French consortium Sea Protection for Horn of Africa (SEAPHORA), Vincent Clouzeau.[16] The group promotes the creation of the "Galmudug Anti-Piracy Task Force" (GAPTF), and during the fall of 2012 was lobbying the international community for support and funding.[17]

17. The clashes between Suleiman and Sa'ad militias were directly related to the visit of Hobyo by the French businessmen. Following their visit to Hobyo, the President of the Himan and Heeb administration, based in Adado, released a public statement on 13 October 2012 condemning the President of Galmudug, Abdi Qeybdiid, for fuelling the conflict in Hobyo through his attempt to take full control of the town.[18]

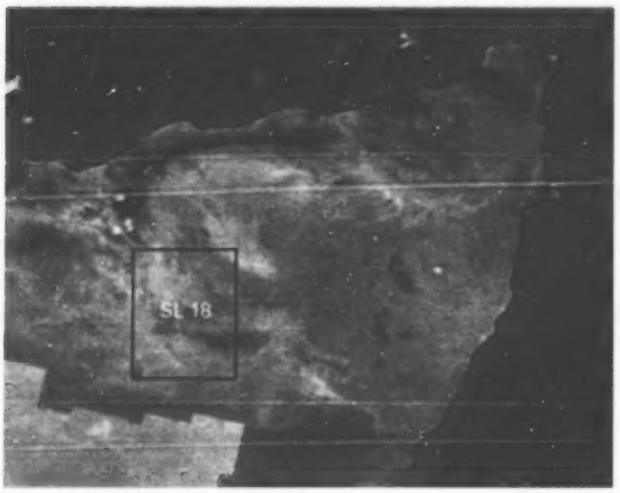
18. The situation in the Mudug region is particularly tense, with long-standing disputes over grazing land, water points but also the port city of Hobyo, between two sub-clans of the Hawiye / Habar Gedir, the Suleiman, dominant in the Himan and Heeb administration, and the Sa'ad, who control the Galmudug State of Somalia. As also demonstrated in annex 3.2., intraclan rivalries remain high within the Sa'ad, in particular between the Hilowe sub-clan of President Qeybdiid and other sub clans. It is therefore the understanding of the Monitoring Group that, in this context, such activities of foreign companies in the Galmudug State of Somalia represent an additional threat to peace and security in the region.

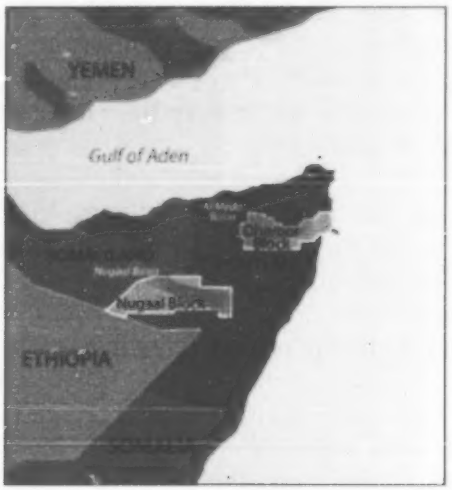
[13] Meeting with a confidential source working in the oil industry, Dubai, 9 March 2013.
[14] Meeting with Abshir Aden Ferro, Nairobi, 18 January 2013.
[15] Meeting with a Nairobi-based French diplomat, 12 November 2013.
[16] During hearings of the Defence Committee of the National Assemblée on 9 November 2010, the rapporteur Christian Ménard revealed that EADS, alongside Thalès, DCNS and Altran, was part of SEAPHORA. This consortium was created at the initiative of the Industry Minister, Christian Estrosi, with the support of the French Presidency; accessed at http://www.assemblee-nationale.fr/13/cr-cdef/10-11/c1011014.asp on 8 June 2013.
[17] Email communication with a diplomatic source, 11 November 2012.
[18] Confidential security report, 16 October 2012 ; Gamudug authorities responded by qualifying the accusation from Himan and Heeb administration as "improper" and claiming that Hobyo has always been and always will be ruled by Galmudug.

Conflict between regional states, self-proclaimed administrations and local militias

19. Facts about the existing licences awarded by both Somaliland and Puntland demonstrate the potential flashpoints that exist over oil exploration in the disputed area of Sool and Sanag regions.

On the left, a map representing block SL18,[19] awarded by Somaliland and fully owned by Oslo-based DNO International; on the right, illustration of the Nugal block, awarded by Puntland to the consortium led by Africa Oil, a company owned by the Lundin Family[20]





20. The two maps above, extracted from official websites of DNO International and Africa Oil, indicate the locations of the two blocks included in the PSAs signed respectively with Somaliland (SL 18) and Puntland (Nugaal Block). According to these maps, it seems evident that block SL 18 and the Nugaal block are overlapping.

21. Potentially, it means that exploration operations in these blocks, conducted by both DNO and Africa Oil under the protection of regional security forces, its allied militias or private forces, could generate a new conflict between Somaliland and Puntland, and affiliated proxies over the control of the Sool and Sanag regions. On 6 December 2012, Puntland has already issued a press release entitled "Puntland Cautions Oil Exploration Attempts in Sool Region May Trigger Conflict".[21]

[19] Accessed at http://www.dno.no/dno-operations/somaliland/ on 25 April 2013.
[20] Accessed at http://www.africaoilcorp.com/s/Puntland.asp?ReportID=505141 on 26 April 2013.
[21] Press Release, Garowe, Puntland, 6 December 2012.

22. During a 2012 meeting, the representatives of Africa Oil in Nairobi[22] strongly stated that the company will not conduct any activity in the Sool region of Somalia, despite the fact that "the company disputes the claims of the Republic of Somaliland" on the Nugaal block.[23]

23. However, in its response to the Monitoring Group's letter, DNO International failed to comment on the impact of oil exploration operations on peace and security in the Sool and Sanag regions.[24] Moreover, the letter states that "the Government of Somaliland will provide DNO with designated security forces to ensure the security of all personnel and property in connection with DNO's activities", adding that "DNO will engage a private security contractor to provide advice to DNO and coordinate day-to-day security activities".

24. In addition, the President of the self-declared State of Khatumo, Mohamed Yusuf Jaamac, denounced in a letter dated 28 April 2013 to the executive chairman of DNO International, Bijan Mossavar-Rahmani, the legality of the PSA, claiming also that "your deal with Somaliland [...] fuel [*sic*] the conflict in northern Somalia" (see annex 5.5.i.). The day after, the "forum for peace, unity and development" of the Khatumo State addressed a similar letter to the director of corporate communication and public affairs of DNO International. The document says:

> In the case of our Khatumo State, [Somaliland militias] only occupy our regional capital Lascanod which is expected to be liberated in due course. Otherwise, the rest of our State, including this so called Block SL 18, is fully under our control (see annex 5.5.j.).

25. The Monitoring Group also understands that Africa Oil may start exploring in the Nugaal block in the event that a competitor begins with their own explorations in an area included in the PSA assigned by the Puntland Government to Africa Oil.

26. Therefore, the Monitoring Group is deeply concerned by the fact that protection of oil exploration operations may lead to a new armed conflict for the control of the disputed areas between Somaliland, Puntland and Khatumo militias. Moreover, it is alarming that regional security forces and armed groups may clash to protect and further western-based oil companies interests. In this case, the involvement of a Norwegian company on one side, and of a Swedish-owned/Canadian-based company on the other, is even more disturbing, considering the long-standing implication of Norway and Sweden in promoting peace and dialogue in Somalia.

Conflict between Somalia and Kenya over the maritime boundary

27. Somalia and Kenya have differing interpretations of their maritime boundary and associated offshore territorial rights. Currently, Somalia claims its maritime boundary with Kenya lies perpendicular to the coast, though this boundary is not enshrined in a mutually

[22] Meeting with Africa Oil representatives, Nairobi, 19 March 2012.
[23] Accessed at http://www.hornpetroleum.com/i/pdf/2011-YE.pdf on 10 May 2013.
[24] Letter to the Secretary of the Committee on Somalia and Eritrea, 14 May 2013.

accepted agreement with Kenya, which envisages the maritime boundary as being defined by the line of latitude protruding from its boundary with Somalia.[25]

Map of disputed offshore zone between Somalia and Kenya, including positions of Kenyan issued oil licenses

28. The FGS has thus refused to recognise oil licenses granted to multinational companies by Kenya and which protrude into waters defined as Somali according to that perpendicular demarcation line. Oil multinational companies affected by the FGS opposition have included French oil company Total (Kenyan license L22), Italian major ENI (Kenyan licenses L21, L23 and L24), US oil firm Anadarko (Kenyan license L5) and Norway's majority state-funded Statoil[26] (Kenyan license L26) (see again annex 5.5.k for a more detailed map of disputed oil licenses).

[25] Kenya claims that a **Memorandum of Understanding** (MoU) **signed** with Somalia's TFG in April 2009 set the border running east along the line of latitude. However, Somalia claims that the purpose of the MoU was not to demarcate the maritime boundary but rather to grant non-objection to Kenya's May 2009 submission of claim? to the UN Commission on the Limits of the Continental Shelf to delineate the outer limits of Kenya's continental shelf beyond the 200 nautical mile limit. (Each country's claim requires proof of cooperation with its neighbors.) Since it was not ratified by the parliament, Somalia **claimed** that the MoU did not, in fact, have legal basis. Somalia's parliament **rejected** this MoU in August 2009, claiming that Somalia was adhering to the appropriate requirements for delimitation of the continental shelf – not agreeing to a maritime boundary with Kenya. See Lesley Anne Warner, "East Africa's Oil/Gas Rush Highlights Kenya-Somalia Maritime Border Dispute", available at **http://lesleyannewarner.wordpress.com/2012/07/21/east-africas-oilgas-rush-highlights-kenya-somalia-maritime-border-dispute/**. On the 6 June 2013, the Office of the Prime Minister in Somalia issued a statement saying that the council of ministers had decided that The Federal Government of Somalia does not consider it appropriate to open new discussions on maritime demarcation or limitations on the continental shelf with any parties.

[26] See http://www.statoil.com/annualreport2011/en/shareholderinformation/pages/majorshareholders.aspx for precise statistics on Norwegian government holdings in Statoil.

29. The FGS has persuaded Statoil, Anadarko and Total to withdraw their claims that partially infringe on Somalia's demarcation line. However, ENI, which has been allocated three licenses that fall within the Somalia's definition of Somali waters has yet to withdraw its claims at the time of submission of this report.[27] The remaining dispute between ENI and the FGS, and the persistence of a contested perpendicular line of demarcation, may serve to create further animosity between the Governments of Somalia and Kenya at a time when both are at loggerheads over the creation of a political administration in Jubaland.

30. This territorial dispute could exacerbate tensions between Somalia and Kenya that have already been sharpened by political disagreements over the control of Kismayo and the Jubaland territory (see annexes 3.3 and 9.1).

Corruption Risks

Conflicts of interest surrounding the adoption of an Exclusive Economic Zone for Somalia.

31. Since 1972, Somalia has claimed an extension of its territorial sea from 12 to 200 nautical miles. However, article 3 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) limits coastal States to claim a maximum territorial sea of 12 nautical miles from the coast. Although Somalia signed UNCLOS in 1982, there has been considerable confusion over whether Somalia's national legislation has been harmonised to give recognition to the UNCLOS regime.[28] On 1 May 2013, however, President Hassan Sheikh issued a statement announcing that the FGS has identified a 1988 law which puts Somalia fully in compliance with UNCLOS, and which would allow Somalia to implement an Exclusive Economic Zone (EEZ), where territorial control would be limited to 12 nautical miles but where Somalia would continue to claim sovereign rights to explore, exploit, conserve and manage natural resources that exist within 200 nautical miles of its coast.

32. Once Somalia adopts the EEZ under the UNCLOS regime, Somalia and Kenya would be required to initiate a separate process to negotiate a mutually acceptable maritime boundary. This would open the possibility of an adjustment of the maritime boundary from its perpendicular position towards a position following the line of latitude.[29] Such a shift would effectively place some if not all of the disputed licenses mentioned above back into Kenyan

[27] In November 2012, an FGS oil official informed ENI in writing that the three other oil majors had withdrawn their claims from Kenyan waters. In February 2013, the FGS was still in negotiations with ENI regarding the withdrawal of their claim, but in email correspondence also left open the possibility of negotiating a prior license which is situated in Puntland.

[28] See Thilo Neumann and Tim Rene Salomon, "Fishing in Troubled Waters – Somalia's Maritime Zones and the Case for Reinterpretation", *Insights*, American Society of International Law, 15 March 2012.

[29] According to a maritime lawyer interviewed by the Monitoring Group on 22 April 2013, should Somali MPs vote for an EEZ, the boundary would be identified through a process of negotiation between the Somali and Kenyan Governments under international mediation, and would likely shift from a perpendicular position towards a position of latitude, given previous precedent set in the East African region, particularly in relation to the Tanzanian-Kenyan maritime border.

waters. It is for this reason that on 8 October 2011 the Somali MPs voted down attempts to introduce an EEZ during the Roadmap process.[30]

33. The Monitoring Group understands that Kenya suspended Norwegian oil company Statoil from block L26 in late 2012, as the company was unwilling to meet financial obligations of developing exploration activities in the block while legal uncertainty prevailed over the Kenyan-Somali maritime boundary.[31] However, a Kenyan Government official has confirmed that Statoil has nevertheless expressed interest in returning to develop L26 should the maritime boundary dispute be resolved in favour of Kenya.[32]

34. The Monitoring Group has obtained information of attempts by the Norwegian Government to influence Somali parliamentarians and other FGS officials to adopt the EEZ for Somalia, which, as explained above, would lead to a separate process of redrawing of the maritime boundary towards a line of latitude.

35. Norway has been involved in attempts to introduce the EEZ onto the parliamentary agenda since at least 2008, when former UN SRSG for Somalia Ahmedou Ould Abdallah initiated the preparation of preliminary information indicative of the outer limits of the continental shelf on Somalia. At the time this was conducted, Statoil had no commercial interest in Somalia.[33] However, efforts by Norway to lobby Somali officials to adopt the EEZ now coincide with current Norwegian interest in the fate of L26 as well as with Norwegian involvement in the application of a Special Financing Facility (SFF) donor fund of $30 million which has been allocated under the management of FGS officials with a track record of corruption (see annex 5.2).

36. Indeed, between 6 and 13 April 2013, two non-governmental organisations, the Oslo Center and the National Democratic Institute, hosted several Somali MPs, including the FGS speaker of parliament and Norwegian national, Mohamed Osman Jawari, on a Study Tour for the Federal Parliament of Somalia, in Oslo. The week-long programme included a briefing on the SFF by Norway's Special Envoy to Somalia, Jens Mjuagedal, and Senior Advisor, Rina Kristmoen, as well as a briefing on Norwegian legal assistance to Somalia for the establishment of an internationally-recognized EEZ. Former Norwegian oil minister Einar Steensnaes also briefed on the issue of management of natural resources (see annex 5.5.1. for programme).

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[30] See http://www.garoweonline.com/artman2/publish/Somalia_27/Somalia_The_Roadmap_Gets_a_Tear_on_the_EEZ.shtml.

[31] Kenyan Energy ministry Permanent Secretary, Patrick Nyoike was quoted in the financial press on 5 November 2012 as suggesting Statoil was relieved of L26 due to failing to honour a 3-D seismic development plan, see http://www.businessdailyafrica.com/Corporate-News/Kenya-expels-oil-giant-Statoil-from-exploration-plan-/-/539550/1612432/-/708r31z/-/index.html. However, a Kenyan Government official interviewed in April 2013, said he had been informed that Statoil did not want to take the risk of developing L26 while the maritime boundary was still in legal dispute.

[32] Interview , 12 May 2013.

[33] See Norwegian Foreign Ministry website: http://www.regjeringen.no/en/dep/ud/press/news/2009/shelf_assistance.html?id=555771. L26 was negotiated in 2012, see http://www.trademarksa.org/news/norwegian-firm-statoil-joins-search-oil-kenya.

37. In this way, Norway's development assistance to Somalia may therefore be used as a cover for its commercial interests there. Norway's Minister of International Development, Heikki Eidsvol Holmås has, however, publicly denied any link between Norway's assistance to Somalia in establishing its continental shelf rights and any commercial oil interest.[34]

Transparency and Capacity Issues within SPC and SPA

38. The Monitoring Group has identified shortcomings in transparency and capacity of Somalia's petroleum institutions, the SPC and the Somali Petroleum Authority (SPA). Such issues need addressing in order to mitigate potential risks of corruption.

39. The FGS has already begun negotiations with seismic companies[35] that have been invited to Somalia ahead of a planned oil-licensing auction. The FGS has also conducted negotiations with oil majors BP, Chevron, ConocoPhillips, ENI, Shell and Total, all of whom have been approached in relation to reactivating commercial activity. The SPC Director, Hussein Ahmed, has also been quoted confirming that a number of the above companies have committed to returning to Somalia.[36]

40. However, the SPC is not the *de jure* organisation to handle such agreements. The SPC is conceived primarily as a commercial enterprise with rights to participate in any PSA (see Article 20 of the Petroleum Law, annex 5.5.a) up to a maximum of 30 per cent (see Article 35 of the Petroleum Law, annex 5.5.a). Indeed, it is the SPA that should be a regulatory body primarily responsible for the grant of PSAs (see Article 19 of the Law, annex 5.5.a).

41. Given the nascent status of the Somali petroleum institutions, however, it is clear that there is already a blurring of responsibilities with the SPC director and his advisors already taking charge of regulatory matters and discussions with potential investors in the Somali oil sector. In particular, such a situation could cause conflicts of interest should the SPC award licenses to foreign oil companies while it negotiates its own commercial participation in such licenses.

42. In addition to this, SPC officials have been discussing theto registration of the SPC as a commercial entity in one of several offshore jurisdictions, notably the British Virgin Islands, Singapore or Abu Dhabi.[37] As explained by an FGS oil official this discussion took place because the SPC has failed to open a hard currency bank account due to concerns by various banks about the SPC being wholly Somali domiciled, and the reputational risks that would entail.[38]

[34] See http://www.ft.com/intl/cms/s/0/a6d5d1b6-bd9f-11e2-a735-00144feab7de.html.
[35] Spectrum, TGS Nopec, CGG Veritas and Schlumberger are all companies that have been named as invitees.
[36] See http://www.raxanreeb.com/2013/04/somalia-government-plans-to-sign-30-oil-and-gas-production-sharing-contracts/, 18 April 2013, original source Bloomberg News.
[37] Email correspondence dated 9 January 2013 between FGS oil officials, obtained by the Monitoring Group.
[38] Meeting with FGS official, 12 March 2013.

43. The Monitoring Group therefore recommends urgent international support to the Somali Government to strengthen capacity within the SPA and to create an independently managed *cadastre* of oil licenses, which should be linked to a clear financial trail for any signature fees collected during any licensing and re-licensing of oil acreage. Both oil companies and the Somali Government should openly declare such signature fees, as per best practice advocated by the Extractive Industries Transparency Initiative (EITI). The SPA should have an independent sovereign bank account managed as part of a credible public financial management agreement between the Somali government and credible donors who support capacity building initiatives.

44. Should the SPC be registered in an offshore jurisdiction, the Monitoring Group believes this may create difficulties in creating a transparent environment for credible independent audits, as mandated by Article 44 of the 2008 Petroleum Law. An offshore registration may increase the risk of an SPC account with hidden beneficiaries, unless such an account is clearly marked as a sovereign account, and all receipts can be accounted for under the terms of published contracts between the SPC and its partners, which should also be subjected to a credible and independent audit on a regular basis.

45. Without such institutional safeguards in place, the Monitoring Group is of the view that oil licensing fees and future oil revenues will remain at risk of being diverted, thereby representing a corruption risk, but also straining relations between the FGS and regional governments.

Annex 5.5.a: Excerpts of the 2008 TFG Petroleum Law

Article 3
Ownership of the petroleum

Petroleum belongs to the Somali nation and it will be protected and distributed by the central government and its agencies according to the law of the Republic of Somalia.

Article 7
Petroleum Companies that had Previous Dealing with Somali Governments

1. All agreements pertaining to petroleum that were signed after 1991 with the entities purporting to be governments of all or any part of Somalia are considered non valid agreements.

2. All the agreements signed between foreign companies with the Somali government before 1991 considered as a valid agreements and it will be given good consideration.

3. These companies which had previous agreement before 1991 will have to renew them with central Federal government as contemplated by Article 59.

Article 19
Establishment and Functions of Somalia Petroleum Authority

19.1 ***Establishment of SPA.*** The Somalia Petroleum Authority is established by this Law as the competent regulatory authority to regulate Petroleum Operations.

19.2 ***Time of Formation.*** The SPA shall be formed and be entitled to exercise its powers on the date specified by the Government. Until that date, the functions and powers of the SPA shall be exercised by the Petroleum Regulatory Affairs department of the Ministry, and the other provisions of this Law shall be read accordingly. The Government shall cause the SPA to be formed once it is satisfied that the quantity of Petroleum Operations in Somalia are sufficient to justify the costs of establishing the SPA.

19.3 ***Membership of SPA.*** The Government shall appoint members to the SPA. There shall be not less than three and not more than seven members. A quorum of the SPA shall be

19.14 ***Powers of SPA.*** When performing its functions according to law, the SPA shall have the following powers:

19.14.1 to grant Reconnaissance Authorisations in accordance with Section 23.1;

19.14.2 to grant Production Sharing Agreements in accordance with Section 24.1;

Article 20
Establishment and Functions of Somalia Petroleum Corporation

20.1 ***Formation of SPC***. Somalia Petroleum Corporation is established as a juridical person in the form of a corporation.

20.2 ***Purpose of SPC***. The purpose of the Somalia Petroleum Corporation is to be a commercial enterprise Controlled by the Government to conduct Petroleum Operations in Somalia. Somalia Petroleum Corporation shall be entitled to exercise the right of participation referred to in Section 35.1. Somalia Petroleum Corporation may acquire an Authorisation by direct acquisition or pursuant to a bid process conducted by the SPA in the same manner as any other Person.

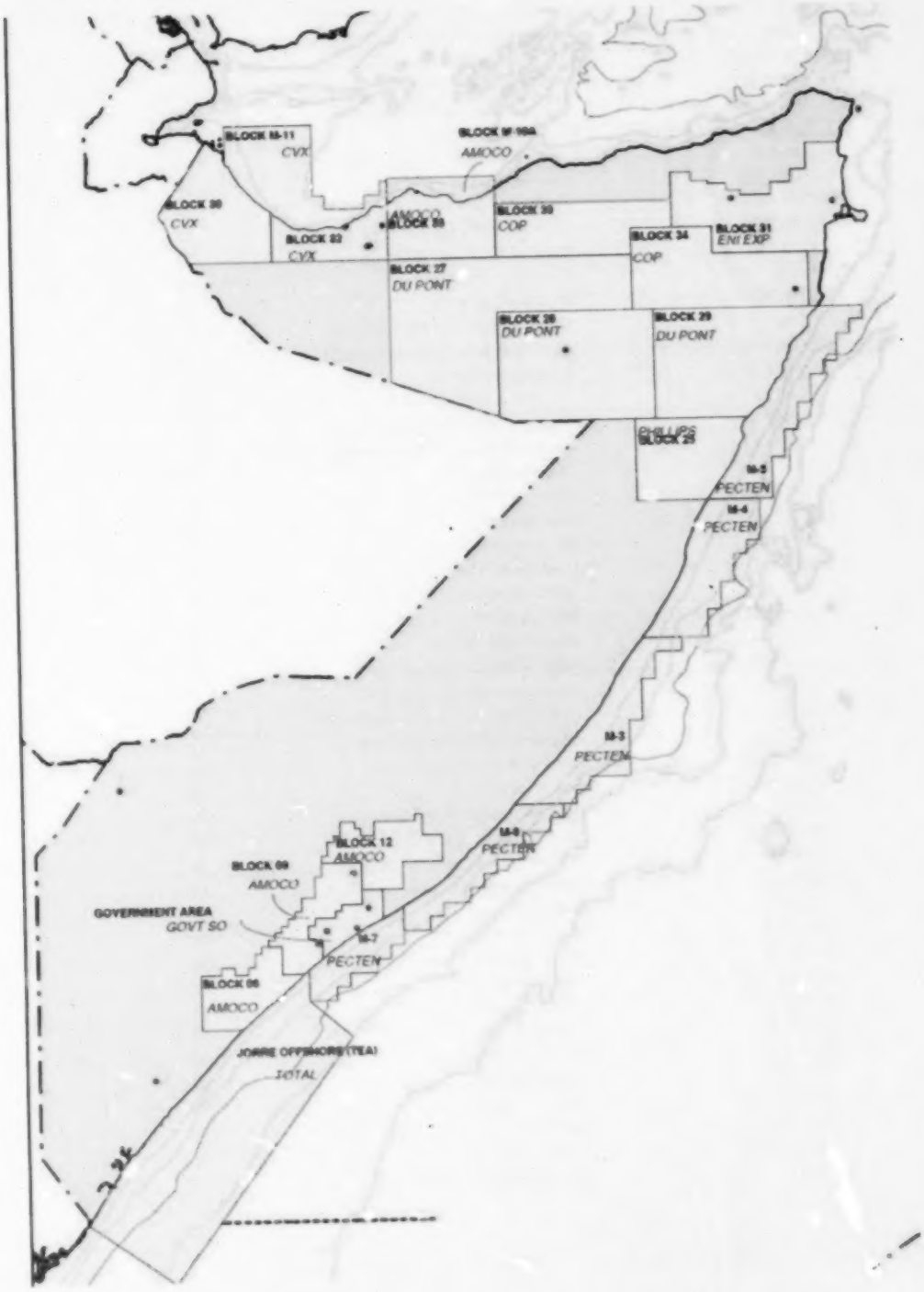
Article 35
Somalia Petroleum Corporation and State Participation in Petroleum Operations

35.1 ***SPC and State Participation***. Each Production Sharing Agreement shall stipulate:

35.1.1 the right of Somalia Petroleum Corporation to participate in Petroleum Operations, up to a maximum participation right of 30%; and

35.1.2 the right of a State-Owned Contractor which is Controlled by the State of the Somalia Republic in which the Authorized Area is located to participate in Petroleum Operations, up to a maximum participation right of 10%.

Annex 5.5.b: Map and list of prior license holders



Block Name	Group Name	Company Name	Interests (per cent)
Block 25	PHILLIPS	Phillips Petroleum Corp Somalia	100
Block 31	AGIP 1	Agip (Africa) Ltd	50
Block 31	AGIP 1	Texaco Inc	50
Block 06	AMOCO 2	Agip (Africa) Ltd	50
Block 06	AMOCO 2	Amoco Somalia Petroleum Co	50
Block 09	AMOCO 2	Agip (Africa) Ltd	50
Block 09	AMOCO 2	Amoco Somalia Petroleum Co	50
Block 12	AMOCO 2	Agip (Africa) Ltd	50
Block 12	AMOCO 2	Amoco Somalia Petroleum Co	50
Block 27	CONOCO 1	Continental Oil Co	50
Block 27	CONOCO 1	Du Pont E & P No 1 B.V.	10
Block 27	CONOCO 1	NMC Somalia Oil Expl. Co Ltd	15
Block 27	CONOCO 1	Phillips Petroleum Corp Somalia	25
Block 28	CONOCO 1	Continental Oil Co	50
Block 28	CONOCO 1	Du Pont E & P No 1 B.V.	10
Block 28	CONOCO 1	NMC Somalia Oil Expl. Co Ltd	15
Block 28	CONOCO 1	Phillips Petroleum Corp Somalia	25
Block 29	CONOCO 1	Continental Oil Co	50
Block 29	CONOCO 1	Du Pont E & P No 1 B.V.	10
Block 29	CONOCO 1	NMC Somalia Oil Expl. Co Ltd	15
Block 29	CONOCO 1	Phillips Petroleum Corp Somalia	25
Block 30	CHEVRON	Chevron Corp	100
Block 32	CHEVRON	Chevron Corp	100
Block M-11	CHEVRON	Chevron Corp	100
Block 33	CONOCO 2	BG Somalia SA	25
Block 33	CONOCO 2	Continental Oil Co	60
Block 33	CONOCO 2	NMC Somalia Oil Expl. Co Ltd	15
Block 34	CONOCO 2	BG Somalia SA	25
Block 34	CONOCO 2	Continental Oil Co	60
Block 34	CONOCO 2	NMC Somalia Oil Expl. Co Ltd	15
Block 35	AMOCO 1	Amoco Somalia Petroleum Co	50
Block 35	AMOCO 1	Gulfstream Resources Canada Ltd	10
Block 35	AMOCO 1	International Petroleum Corp	20
Block 35	AMOCO 1	Murphy Eastern Oil Co	10
Block 35	AMOCO 1	Neste Oy	10
Block M-10A	AMOCO 1	Amoco Somalia Petroleum Co	50
Block M-10A	AMOCO 1	Gulfstream Resources Canada Ltd	10
Block M-10A	AMOCO 1	International Petroleum Corp	20
Block M-10A	AMOCO 1	Murphy Eastern Oil Co	10
Block M-10A	AMOCO 1	Neste Oy	10
M-3	PECTEN 1	Mobil Somalia	50
M-3	PECTEN 1	Pecten Somalia[1]	50
M-4	PECTEN 1	Mobil Somalia	50
M-4	PECTEN 1	Pecten Somalia	50
M-5	PECTEN 1	Mobil Somalia	50
M-5	PECTEN 1	Pecten Somalia	50
M-6	PECTEN 1	Mobil Somalia	50
M-6	PECTEN 1	Pecten Somalia	50
M-7	PECTEN 1	Mobil Somalia	50
M-7	PECTEN 1	Pecten Somalia	50
Government Area	GOVT	Government of Somalia	100

[1] Pecten Somalia is a subsidiary of Shell

Annex 5.5.c: ConocoPhillips notice to Red Emperor Resources in respect of conflicting claim with Africa Oil

ConocoPhillips

[redacted]
Senior Vice President,
Exploration & Business Development

ConocoPhillips Company
600 North Dairy-Ashford 77079-1175
P.O. Box 2197
Houston, Texas 77252-2197
phone (281) 293-3230
fax (281) 293-2270

18 June 2010

Red Emperor Resources NL
Suite 32, Level 3, 22 Railway Road
Subiaco Western Australia 6008
Telephone: +61.08.9388.8041

Attention: [redacted]
Managing Director

Gentlemen:

Recent media reports advise that Red Emperor Resources NL has announced the signing of a farm-in Letter of Intent with Africa Oil Corporation for entry into production sharing contracts in Somalia and that there are possible plans for mineral and/or hydrocarbon operations within areas where ConocoPhillips has concession interests with the Somali Democratic Republic (the "Government").

The purpose of this letter is to provide you with notice of ConocoPhillips' interests in Somalia. ConocoPhillips' contractual rights in Blocks 25, 27, 28 29 and 33 are protected under the applicable concession agreements with the Government. The agreements grant ConocoPhillips the exclusive right to conduct petroleum operations, which includes exploration, development, extraction and production of hydrocarbons, within the identified Blocks. ConocoPhillips' interests have not been terminated by the Government and ConocoPhillips has not relinquished its interests in Somalia. The locations of these Blocks are shown on the attached plat.

Attached is a letter sent to Range Resources Ltd. and Africa Oil Corporation regarding seismic information obtained by ConocoPhillips that may be in your possession as well. Please note our concerns regarding possession and use of such data.

We trust that you will conduct your operations without interference with or injury to ConocoPhillips' interests in Somalia. However, ConocoPhillips reserves its rights in all respects.

Please be advised that a letter dated 16 November 2007 was sent to Africa Oil Corporation to the attention of Mr. [redacted] (copy attached) advising of ConocoPhillips' rights.

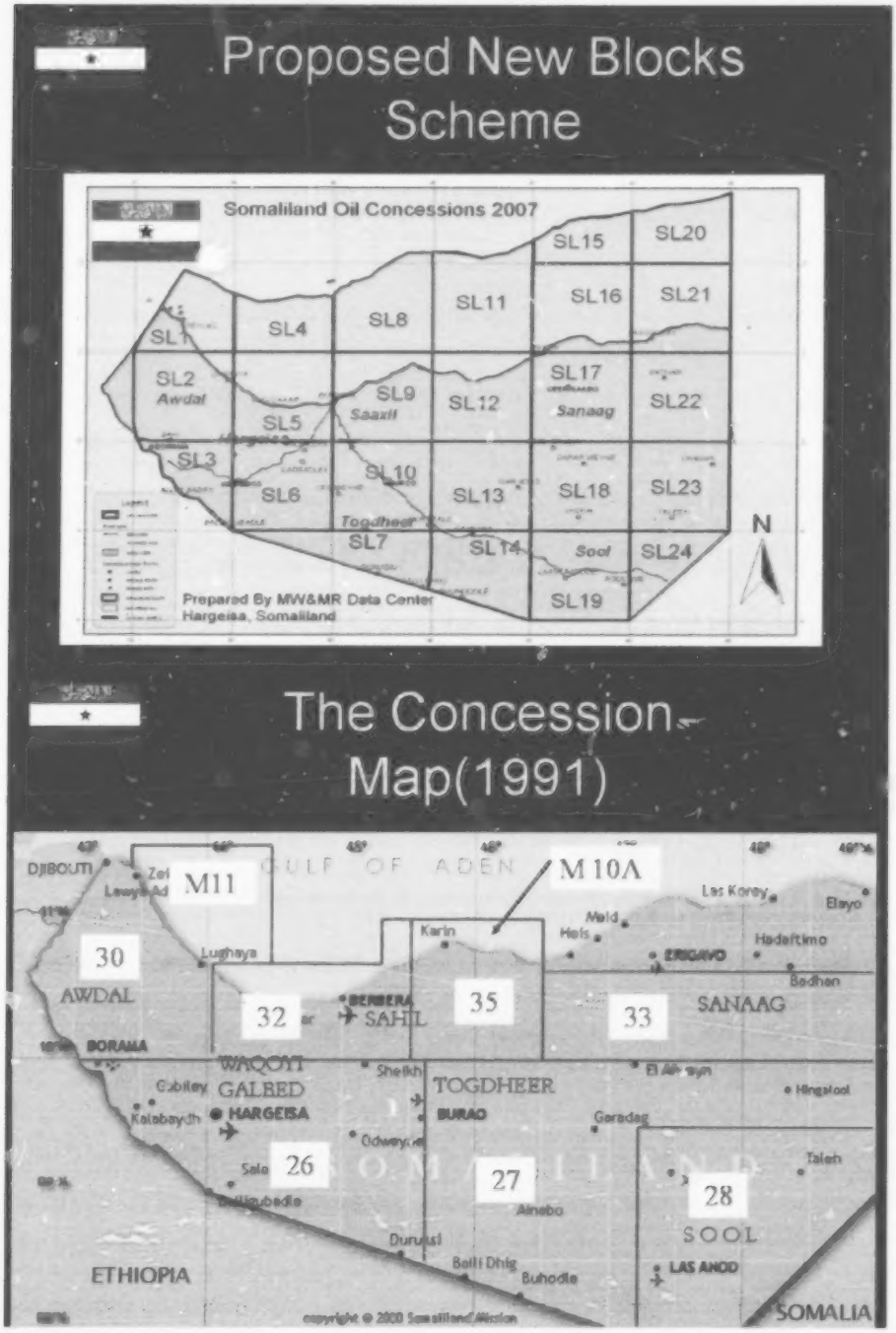
If you have any questions regarding this matter, please direct those to Mr. [redacted] at +1.[redacted].

Regards,

[redacted]

cc: [redacted]

Annex 5.5.d: Somaliland New Blocks Scheme compared with 1991 Prior Concession Holder Map



Annex 5.5.e: BP's claim on oil blocks 35 and M-10 A

bp

[redacted]
Managing Attorney

BP Legal
Amoco Somalia Petroleum Company
Building 200
Chertsey Road
Sunbury On Thames
Middlesex
TW16 7LN

Direct Line: +44 [redacted]
Direct Fax: +44 [redacted]
Email: [redacted]

Macleod Dixon LLP
Suite 3700
400 - 3rd Avenue
SW Calgary
Alberta T2P 4H2
Attention: [redacted]

11 January 2010

Dear Mr [redacted]

Concession Agreement dated 21 January 1986 for Blocks 35 and M10-A Somalia (the "Concession Agreement")

With reference to your letter of 10 November 2009, we are writing on behalf of Amoco Somalia Petroleum Company ("**BP**") to confirm that BP does not intend to proceed to negotiate a new Production Sharing Agreement with the Transitional Federal Government of the Republic of Somalia. BP hereby reserves its rights as to any claim including, without limitation, for breach of contract and/or expropriation.

Please note that this letter is sent by BP solely on behalf of itself and does not, and is not intended to, represent the views or position of any other company having an interest in the Concession Agreement.

Yours sincerely

[redacted]
Amoco Somalia Petroleum Company

Annex 5.5.f: Liberty Petroleum Correspondence with Shell over disputed oil concession

Liberty Petroleum Corporation

March 21, 2013

Shell Exploration & Production
Shell E.P. Somalia B.V.
Director
Director
Carel van Bylandtlaan 30
2596 HR The Hague
The Netherlands

Dear

I have held off replying to your letter dated February 25, 2013 until I was able to investigate the underlying facts more fully. As you know, it is very difficult in a country like Somalia to draw any firm conclusions as to which government entity has authority to award concessions or the on-going validity of concessions granted by authorities of governments that no longer exist.

I have been advised that until the process of harmonizing the Constitutions of the States in Somalia (like Gulmudug) with the Constitution of the Federated Member States which was adopted last year, authority to award mineral concessions belongs primarily to the states. This seems to be consistent with Sections 44 and 142 of the Constitution of the Federal Member States. In fact, in response to a direct query posed by the President of Gulmudug State, the Somalia Supreme Court confirmed that this was the case in a recent decree (Decree 2, 2013 issued earlier this week). Therefore, we believe that the Production Sharing Contract recently signed between Petro Quest Africa and Gulmudug State is a valid grant of the right to explore for oil and gas by the governmental entity with authority to grant those rights.

I am not in a position to evaluate the rights that Shell had or may still have under its 1988 concession since I do not know anything about the concession, whether it was granted by the proper authority, whether Shell has complied with its terms or whether it was terminated. I do note, however, that under the 2007 Somalia Petroleum Law, the holders of pre-1990 concessions were given a year to re-enter the country and exchange their concessions for authorizations under that law.

Again, I have no idea whether Shell complied with the Petroleum Law, but further note that even if it did, compliance would not answer the question of whether the Transitional Federal Government or the States then had the power to grant or reconfirm oil and gas concessions.

My purpose in this letter is not to start a legal dispute that would inevitably take years to resolve and that would prevent both of our companies from moving forward to evaluate potentially exciting opportunities. Instead, it would be better for both of our companies--and certainly for Somalia--if we worked together to pursue those opportunities for our mutual benefit, and not lose the opportunities because it will take years to determine which company has the paramount right, if that can ever be determined.

I have been approached by a host of companies including Reliant, Anadarko, Total, Dragon and dozens of others who are wanting to discuss potential farmin possibilities. TGS also desires to work with Petro Quest to assist in a large multi-client offshore seismic survey.

Out of sincere respect to Shell's claim of prior rights and the former investment of time and resources they have put into this region, we have held off on executing any contractual commitments with any of other company.

Before proceeding down that path, we felt it appropriate to invite one or more of your executives to our offices in the United States for an opportunity to discuss how our companies can work together at this historic time for Somalia.

Please let me know if you are interested in pursuing an approach of this kind. I would be happy to meet with you at your convenience." We would request that if there is an interest to consider a meeting that you indicate your mutual interest in the next ten days so that we can determine what our next steps should be.

Please be assured that we are a company of integrity and have a good relationship with many major companies over the years. Conoco, BHPB, Apache and many other companies can tell you that we always try to relate to them on a level of respect and goodwill.

Petro Quest Africa might consider a scenario of giving Shell the operatorship so that they could maintain their current relationships with Exxon and Kuwait energy. We know these companies and have great respect for Bob Gistri at Exxon. I also believe that Total would have a strong interest to participate. We are not a greedy company and would consider terms that would still allow such an outcome to make good commercial and political sense for Shell and Petro Quest Africa.

I may be reached by phone in the United States at 602-995-7194 or on my cell at 480-381-9948. My email is Lane@LibertyPetroleumCorporation.com

Most Respectfully,

Lane Franks
President of Petro Quest International
Liberty Petroleum Corporation

c.c.
Jay Park
Legal Advisor to the Government for Public Affairs
Norton Rose Canada L.L.P.
Suite 3700
400 3rd Avenue SW
Calgary, Alberta T2P 4H2

Annex 5.5.g: Correspondence involving GTC Global and Qeybdiid

From: [redacted]@emirates.net.ae
To: [redacted]@globalgeosciences.com
CC: engabdulkadir@hotmail.com; giamafarah@gmail.com; ahqaybdid@yahoo.com; caalin2002@hotmail.com; [redacted]@eim.ae; [redacted]@globalgeosciences.com
Subject: Conference call with HE President & Making Galmudug a SAFE AREA
Date: Sat, 18 Aug 2012 10:09:55 +0400

Dear Soran,

Salem Alaiikum,

This is a follow up to the conference with HE Mr. Adbi, the President of Galmudug and to yesterday discussion with regard to the review and signature of the PSA Document.

First of all, it is with great pleasure, that we cordially congratulate His Excellency Mr. Abdi, on his election as President of the Galmudug State. We wish HE a productive tenure and new achievements in his new responsibility of his new job. We wish him that during his term in the Presidential Office, to bring peace to people of Somali, as well as prosperity to Somalia. We wish to HE all the success in building friendly, long lasting relationship between Somalia and all the Countries of the World, and bring the development, the prosperity of Galmudug and Somalia for the benefit of his people. Please accept, Your Excellency, the assurances of my highest consideration.

I would like to thank Mr. Abdulkadir for coordinating and arranging the conference call, and also I would like to convey our thanks to His Excellency, for giving me th time to discuss the way forward of Production Sharing Contract (Between the Government of Galmudug andGTC Global) for the Exploration & Production of the Oil Concession Blok in Galmudug.

During the discussion in the conference call, HE highlighted the following:-
1. His concern about the security and assurance of safe working place in Galmudug, which is vital to Contractor (GTC-Global) prior to move the people and the equipment for the Exploration and Development of the Concession. His Excellency, indicated that he requires **US$ 3,5MM** , to be enable His Excellency to make Galmudug a SAFE AREA. HE requested that these FUNDS shall be provided by the Contractor "GTC-Global" as part of the PSC.

2. He indicated that the terms and conditions of the PSA will be reviewed and discussed with GTC-Global in a meeting, that shall coordinated arranged accordingly by GTC-Global and shall be held in Dubai-UAE in due time.

Please, note in line with our yesterday discussion, I kindly request you to review HE's request(Item one above), that GTC- Global to provide and confirm in written Letter, the mode of the provision of the Funds for the security, in order to create and assure a SAFE Galmudug.

Your usual prompt response to the above request, and your collaboration to support and assist HE in this vital and important TASK to assure a SAFE Galmudug , and building long term relationship for the mutual benefit between the Government of Galmudug and GTC Global and also to review and finalize the signature of the PSA are highly appreciated.

Thanks.
Best regards.
Have a safe and reliable day.

[redacted]

Proper Planning Prevent Poor Performance for better People, better Plans, better Process & better Plants.
Together Everyone Achieve More Work, Let us Work Together.
Structure Determines Behavior which Creates Performance

Annex 5.5.h: Photographs of a French delegation in Hobyo on 11 October 2012

President Qeybdiid and Abshir Aden Ferro, and Qeybdiid's militia, in Hobyo, 11 October 2012[1]

Philippe Bohn and Abshir Aden Ferro, carrying a weapon, in Hobyo, 11 October 2012[2]

[1] Renaud Girard, « Expédition dans le fief des pirates somaliens », Le Figaro, 15 October 2012.
[2] "Waftiga uu hogaaminayo M/weynaha Galmudug oo kormeer kusameeyay goboladda Mudug iyo Hobyo", Hobyo Radio & Website, 13 October 2012 ; accessed at http://hobyoradio.com/10,13,20121Usa&france.html on 24 October 2012.

Abshir Aden Ferro, President Qeybdiid and Philippe Bohn in Hobyo, 11 October 2012[3]

Alain Madelin, Philippe Bohn, Renaud Girard and Abshir Aden Ferro, on the road to Galkayo back from Hobyo, 11 October 2012[4]

[3] Ibid.
[4] Ibid.

Annex 5.5.i: Letter from the President of the Khatumo State of Somalia to the executive Chairman of DNO International

DAWLAD GOBOLEEDKA
KHAATUMO EE
SOOMAALIYA

Xafiiska Golaha Madaxtooyada

KHAATUMO STATE
OF
SOMALIA

Office of the Presidential Council

28 April, 2013

Dear Mr Mossavar-Rahmani

We refer to the purported oil production sharing contract relating to "Block SL 18" that you have signed, on behalf of DNO International, with Mr. Ahmed Mohamed Silaanyo, leader of the renegade one-clan secessionist enclave calling themselves "Somaliland". We find it utterly incomprehensible that a well-known oil company, operating for many years in many Muslim countries, including some close to Somalia, and hailing from a country renowned for peace promotion and respect for international law, would engage in an illicit deal with secessionist outlaws over the heads the federal government of Somalia and more importantly the Khatumo State of Somalia, the rightful owners of the said block and the one which has the first and final say in the matter.

Needless to say, such a contract as the one you have signed with the one-clan outlaws masquerading as an independent country is not even worth the paper on which it is written. For sure, it would be rendered null and void by our Khatumo State of Somalia which owns the area fancifully designated as " Bolck SL 18" by the secessionists and also the Federal government which ultimately has to sanction agreements with foreign governments or firms.

In trying to rationalise your action, we can only conclude that you had been hoodwinked by your contracting partner that they are an independent country from Somalia who are in control of the whole of northern Somalia (former British Somaliland). Even if they were, which is

not the case, that does not give any legitimacy to any deal between these outlaws and third parties over the exploitation rights of a place they occupy by force. As it is, the only place they occupy is not where this so-called "Block SL 18" is situated but our regional capital Lascanod which will be liberated in due course, sooner rather than later.

We would like to remind you that the international community, above all the United Nations, the EU, the African Union and the League of Arab States, among others, all recognise the unity and territorial integrity of Somalia. In this regard, they all consider what the secessionists call "Somaliland" as part and parcel of Somalia. This includes the Norwegian government. Indeed, the international community, under the leadership of the United Kingdom and Turkish governments, are now actively engaged in ending the secession and working for a united, peaceful and stable Somalia.

Your deal with "Somaliland", even if it is legally a dead duck, will, all the same, give false hopes to the secessionists, fuel the conflict in northern Somalia ("Somaliland") and hence work against the efforts of the international community including your own government. Such an action as you have taken is not only detrimental to peace and security in Somalia but is counterproductive to your own commercial interests. We hope you will withdraw from this illegal deal that does not serve your interest in any way.

Assuming you are interested in the oil exploitation in our Khatumo State of Somalia, you will be well advised to go through the proper channels and ours is the first door you should knock on. Any such request will be welcomed and considered on its merits.

Yous sincerely
Mohamed Yusuf
President of the Khatumo State of Somalia

Annex 5.5.j: Letter from the Chairman of the Khatumo Forum for Peace, Unity and Development to DNO International

Monday, April 29, 2013

Dear Mr. Bratlie, Director Corporate Communication and Public Affairs, DNO International ASA, Oslo, Norway.

I am writing to you, on behalf of the Khatumo Forum for the Peace, Unity and Development, about the reported oil deal that your Executive Chairman, Mr.Mossavar-Rahmani, has signed in Washington on 22 April with Mr. Ahmed Mohamed Silaanyo, leader of the one-clan secessionist enclave in northern Somalia that calls itself "Somaliland". The deal is about an area in our Khatumo State of Somalia preposterously designated as "Block SL 18" by the secessionists as if it was part of their phantom State.

We are not surprised that the secessionists, chasing recognition and desperate for ill-gotten resources, would unscrupulously hawk to anyone willing to fall for their chicanery areas that are not in their own clan enclave and not even under their control. What amazes us though is that a well-known oil company should be party to what amounts to illicit territorial piracy against our Khatumo patrimony, a State member of Federal Somalia. As our president pointed out, in no unmistakable terms in his letter to your Chairman, the contract he signed with Somaliland's leader is not worth the paper it is written on for there is no way DNO can exploit our God-given resources over our heads and that of the federal government of Somalia.

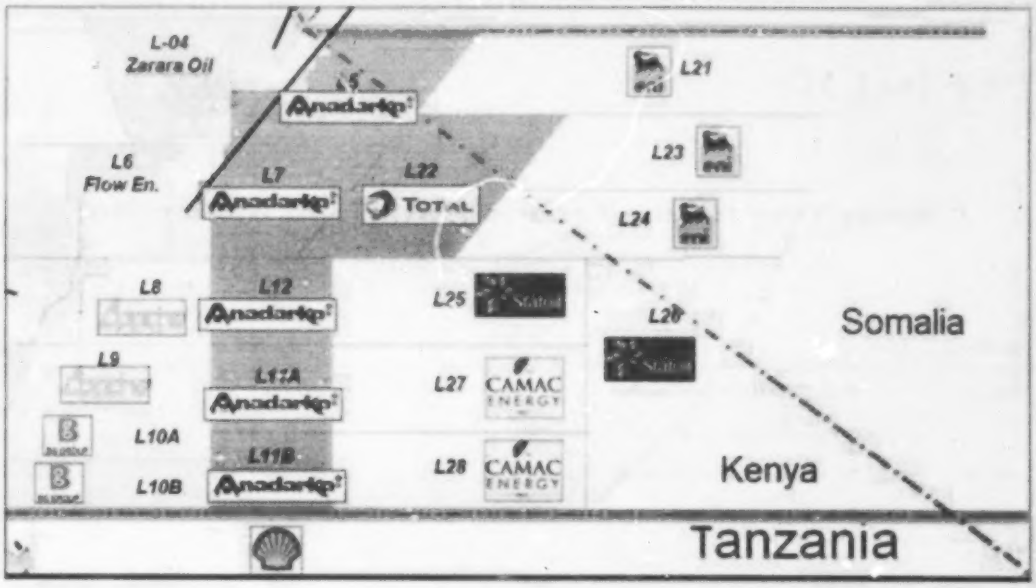
For your information, only one clan among the five clans in northern Somalia (former British Somaliland) subscribes to the secessionists' so-called "Somaliland". The other four are unionists even if "Somaliland" militia have admittedly occupied some parts of their regions. In the case of our Khatumo State, they only occupy our regional capital Lascanod which is expected to be liberated in due course. Otherwise, the rest of our State, including this socalled Block SL 18, is fully under our control.

Furthermore, the international community, above all the UN, the African Union, the EU and even your own Norwegian government, all have repeatedly affirmed their support for Somalia's unity and territorial integrity in which our Khatumo State is an integral part of it. In engaging in an illicit shady business adventure with outlaws that goes against the grain of the common stand of the international community, DNO is only shooting itself on the foot and would have nothing to gain from it. Unless DNO rescinds this unlawful contract with Somaliland, Khatumo State would be forced not only to foil it on the ground but also take the matter to all our sisterly Muslim countries that DNO has commercial operations. Khatumo also reserve the right to take legal action and seek damages for aiding and abetting the secessionists.

Sincerely
Osman Hassan
Chairman, Khatumo Forum for Peace, Unity and Development
Geneva
Switzerland

CC: Mr. Bijan Mossavar-Rahmani
Eexecutive chairman,
DNO International ASA

Annex 5.5.k: Map showing perpendicular line of demarcation between Somalia and Kenya, and Kenyan issued oil licenses



Annex 5.5.l: Programme of Study Tour of Somali MPs in Oslo 6 – 13 April 2013

NDI
NATIONAL DEMOCRATIC INSTITUTE

THE OSLO CENTER

Study Tour for the Federal Parliament of Somalia

Dates: 6-13 of April 2013
Location: Oslo, Norway

Saturday, April 6

07:35	First arrival in Oslo
	Transport (bus) to the hotel: First Millennium Hotel
09:15	Breakfast for the delegates
11:25	Second arrival in Oslo
13:25	Third arrival in Oslo
	Transport (bus) to the hotel: First Millennium Hotel
	Accommodation:
	First Millennium Hotel Tollbugata 25 0157 Oslo Tel: 21 02 28 05 www.firsthotels.no

Sunday, April 7

18:00	Briefing at The Oslo Center
19:00	Bus from the hotel to the restaurant
19:15	Photo opportunity at Frognerseteren with the delegation and Mr. Bondevik
19.30	Welcome dinner at Frognerseteren hosted by Mr. Kjell Magne Bondevik
22:00	Bus from restaurant to hotel

Monday, April 8

08:30	Breakfast
09.00	Bus to the Ministry of Foreign Affairs
09:30	Meeting with Minister of International Development Mr. Heikki Eidsvoll Holmås and his team

11.10	Short break for press interview with the Speaker and the Minister
11.30	The Ministry's Deputy Secretary General, Mr. Christian U. Syse, gives a briefing on the role of the Civil Service in the Ministry of Foreign Affairs, and in the Norwegian political system in general.
12.30	Break for a light sandwich lunch
13.30	Briefing on Norwegian humanitarian assistance to Somalia and the Horn of Africa, by Senior Adviser Mr. Torgeir Fyhn.
14.00	Briefing on the ongoing Norwegian work to follow up request by the Somali President, Hassan Sheikh Mohamud, to establish a Special Financing Facility to support the new Somali Federal Government, by the Special Envoy to Somalia, Mr. Jens Mjaugedal and Senior Adviser Ms. Rina Kristmoen.
14.45	Briefing on Norwegian legal assistance to Somalia towards the establishment of an internationally recognized Exclusive Economic Zone and securing Somali national rights on the continental shelf, by Ambassador Mr. Hans W. Longva and Senior Geologist Mr. Harald Brekke.
16:00	Press briefing at the MFA (to be confirmed)
16:30	Bus from the MFA to the hotel
20.00	Bus from the hotel to the restaurant
20.30	Dinner for the Somalia delegation hosted by Hon Heikki Eidsvoll Holmås, Minister of International Development, at the Official State Guest House, Parkveien 45.
22:30	Bus from the restaurant to the hotel

Tuesday, April 9

08:00	Breakfast
08:45	Walk to The Oslo Center (one block)
09:00	**Briefing on the political and parliamentary system of Norway** at the Oslo Center by Mr. Bjarte Tora, Senior Adviser,
10:30	**Management and administration of natural resources from a government and parliament perspective– the Norwegian model** Seminar with Mr. Einar Steensnæs, former Minister of petroleum and energy and former MP.
11:45	Walk from the Oslo Center to the Stortinget (one block)
12:00	**Administration and working methods: Meeting with the Standing Committee for Scrutiny and Constitutional Affairs** at the Storting, by committee leader Anders Anundsen
12:55	Walk from the Stortinget to the Oslo Center (one block)

13:00	Lunch at the Oslo Center
14:00	Press briefing/interviews
16:30	Departure from the hotel to Samfunnssalen (diaspora meeting)
17:30	**Meeting with the Somali diaspora – Development and Democracy: Building a future together** Host: Oslo Center and National Democratic Institute Venue: Oslo Kongressenter.
22:00	Departure from venue to the hotel

Wednesday, April 10

08:00	Breakfast
08:50	Walk from the hotel to the Oslo Center (one block)
09:00	**Civil societies role in legislation: Women's group lobbying for gender equality** Focus Women and The Norwegian Development Fund
10:30	**Business and trade organizations cooperation with parliament: The Confederation of Norwegian Enterprise (NHO),** by Oluf Ulseth, CEO in Energy Norway
12:00	**Organized complementary parliamentary settings: The Sami Parliament of Norway**, the representative body for people of Sami heritage in Norway, by Heidi Haker, group leader for the Labour Party.
13:00	Lunch at the Oslo Center
15:00	**Workshop on coalition and consensus building in government and parliament** – government and parliament relations with Mr. **Kjell Magne Bondevik** (former Prime Minister and MP) and a former member of his coalition government **Ansgar Gabrielsen** (former minister, MP and member of cabinet).

Thursday, April 11

08:00	Breakfast
09:55	Walk form the hotel to the Stortinget (one block)
10:15	**Sharing experiences with political parties parliamentary groups: Meeting with the Christian Democratic party parliamentary group**, by Hans Olav Syvertsen, Chair of the Christian Democratic Party Group Steering Committee (additional parties TBC)
11:00	Round tour – parliament building

12:00	Meeting with the President of the Norwegian parliament (smaller delegation – themes to be decided by the head of delegation)
12:00	**Parliament procedures and legislation: Meeting with representatives of the parliament** (whole delegation)
13:00	Lunch at the Storting
14:00	**Administration and working methods: committee chairs** Meeting with leader of Standing Committee on Health and Care Services, Bent Hole (MP and member of the Right Party), and leader of Standing Committee of Family and Cultural Affairs, Gunn Karin Gjul (MP and member of the Labor Party).
16:00	**Supporting the committees: the technical advisors**
16:15	Walk from Stortinget to the hotel
18:30	Bus from the hotel to the restaurant
19:00	Dinner at Grefsenkollen Restaurant
21:00	Bus from the restaurant to the hotel

Friday, April 12

08:15	Breakfast
09:15	Walk from the hotel to The Oslo Center (one block)
09:30	**Delegation meeting: Coalition and consensus building in government institutions and parliament – strategies to strengthening cooperation and communication**
12:00	Lunch at the Oslo Center
13:00	Leave the Oslo Center for prayer

Saturday, April 13

04:30	First departure - Bus from hotel to Gardermoen
06:25	First departure from Oslo
08:55	Second departure - Bus from hotel to Gardermoen
11:35	Second departure from Oslo

Annex 6

Violations of the arms embargo

Annex 6.1: Arms shipments to Somalia

Arms embargo

1. With the passage of Security Council resolution 2093 (2013) on 6 March 2013, the Security Council amended the general and complete "embargo on all deliveries of weapons and military equipment to Somalia" imposed by resolution 733 (1992).[1] For one year, the Security Council modified, but it did not lift, the arms embargo. As such, the measures mentioned above do not apply to deliveries of weapons or military equipment or the provision of advice, assistance or training, intended solely for the development of the Security Forces of the Federal Government of Somalia.Moreover, in the Annex of the resolution, the Security Council provided a list of arms, ammunition and military equipment and materials which are not covered by this modification of the arms embargo.[2] In paragraphs 39 (a) and (b) and 41 of resolution 2093 (2013), the Security Council also requested the Monitoring Group to assess the situation concerning the safe management and storage of arms and ammunition in Somalia.

2. During the reporting period, the pattern of arms flow to Somalia remained consistent with those of previous years. The Monitoring Group was given unprecedented access to captured arms, ammunition, and essential items to manufacture specialised improvised explosive devices (IEDs). Since 2011 and particularly since August 2012, there has been a significant increase in IED incidents in Mogadishu and across areas controlled by AMISOM (see annex 1.4). Cases investigated by the Monitoring Group suggest a deliberate effort on the part of Al-Shabaab to obtain larger and possibly more frequent supplies of IED components, corresponding to the insurgency's return to an asymmetrical strategy.

3. In its investigation on arms trafficking to and within Somalia, the Monitoring Group received the cooperation of several foreign Governments, especially Bulgaria, India and Yemen, regarding important violations of the arms embargo on Somalia and the modus operandi used by Al-Shabaab in the procurement of arms and ammunition.

4. The assistance of the Puntland authorities was equally crucial in identifying and detailing the nature and purpose of two important seizures of arms and IED components. However, Puntland remains the main entry point for large-scale illicit commercial arms imports, indicating that the Puntland administration's enforcement of the arms embargo continues to be selective, focusing solely on shipments intended for Al-Shabaab.

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[1] Paragraph 5 of resolution 733 (1992) was reaffirmed in paragraphs 1 and 2 of resolution 1425 (2002).

[2] Resolution 2093 (2013) did restrict the type of weapons concerned and excluded "... surface to air missiles, including Man-Portable Air-Defence Systems; guns, howitzers and cannon with a calibre greater than 12.7mm, and ammunitions and components specially designed for these (this does not include shoulder fired anti-tank rocket launchers such as RPGs or LAWs [Light Anti-tank Weapons], rifle grenades, or grenade launchers.); mortars with a calibre greater than 82mm; anti-tank guided weapons, including Anti-tank Guided Missiles (ATGMs) and ammunition and components specially designed for these items; charges and devices intended for military use containing energetic materials; mines and related materiel; weapon sights with a night vision capability. See Annex of Security Council resolution 2093 (2013).

5. The Monitoring Group also investigated suspicious shipments of arms in the Gulf of Aden and around the Horn of Africa, including several illicit cargoes of arms and explosives that were intercepted.

6. Conflicts in Somalia continue to be sustained by arms flows from within the region and more distant suppliers. As explained below, Yemen remains the primary market for arms and ammunition smuggled into Somalia.

The arms embargo and the rebuilding of Somalia's security sector

7. Since assuming office in September 2012, President Hassan Sheikh Mohamed and members of his cabinet and Government repeatedly requested the arms embargo on Somalia to be lifted. Somali authorities wanted, as a sovereign prerogative, to acquire weapons independently. The lift was also viewed as an exit strategy for foreign forces.[3]

8. During the last months of 2012, and at a series of high-level consultations held in January and February 2013, Somali and foreign Government officials asked for the Monitoring Group's position and advice on the issue of lifting of the arms embargo.[4] Initially, the Monitoring Group recommended the use of existing exemptions procedures, since they permitted direct support to the official Somali security sector and preserved the obligation of supplying states to notify the Security Council Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea (hereafter "the Committee") regarding the nature and range of security-related support.[5] In this context, the Monitoring Group recommended that the FGS be given the authority to notify the Committee and that a broad exemption for non-lethal equipment and material be introduced.[6]

9. The Monitoring Group was also concerned that an ease or partial lift of the embargo would increase inflows of arms and ammunition to Somalia and lower prices.[7] In addition, the Monitoring Group was aware that the official security forces had been infiltrated by Al-Shabaab, even at the highest levels, and were vulnerable to clan conflicts and the interest of spoiler networks (see annex 3). In the easing of the arms embargo, it was incumbent on the Somali Government to maintain legitimate control over arms shipments from the point of entry in Somali to their effective management at safe storage locations, and effective command and control over those using the weapons in security operations.

10. Following the adoption of resolution 2093 (2013), on 27 March 2013, at his first Arab summit, the President of Somalia stated: "We take full responsibility. The world is looking at

[3] Lifting The Arms Embargo in Somalia: A Brief Outlook, 24 February 2013. http://somalianewsroom.com/2013/02/24/lifting-the-arms-embargo-in-somalia-a-brief-outlook/.
[4] Meetings with Security Council members, Mogadishu, 15 January 2013, and Mrs. Fawzia Y. H. Adam, Minister of Foreign Affairs, FGS, UK Foreign and Commonwealth Office, London, 1 February 2013.
[5] Monitoring Group Midterm Briefing to the Committee, New York, 15 February 2013.
[6] Ibid.
[7] Interview with a prominent Somali arms dealer, Mogadishu, 16 January 2013.

us and monitoring...We are not worried about getting supplies, we are concerned about the management of these supplies".[8]

11. Indeed, the management of weapons supplies to the FGS is an immediate requirement, a fundamental responsibility and should be a prerequisite for security sector donors.

Development of capabilities and infrastructure for weapons management

12. In the context of the arms embargo modification, the Somali authorities face many challenges including limited systems of management, a near total absence of infrastructure, such as armouries and safe storage facilities for arms and ammunition, as well as a lack of general technical capacity.

13. In order to identify priorities and specific obstacles, the FGS and concerned international parties have established a Weapons and Ammunition Management Technical Working Group that identified five critical "... elements for the control and management of arms and ammunition":

- Arms Control and Stockpile Management.
- Import [...] of small arms and light weapons.
- Tracking [...] of small arms and light weapons.
- Public Awareness and Education.
- Legislative Measures."[9]

23. Further to paragraph 39 (a) of resolution 2093 (2013), another critical step is to identify the actual structure of the Somali security forces and determining which militias will remain active parts of Government forces. Other clarifications required include defining which ports of entry are to be used, how arms and ammunition are to be securely and safely received at the port, accounted for, moved into secure storage, and registered. While immediate requirements call for the construction of armouries and magazines, general management, operating procedures in dealing with arms and ammunition, such as specific transport between secure locations and accounting for individual weapon systems, are equally crucial.[10]

24. Prioritising these needs in order to request international assistance in the building of infrastructure, training of individual personnel and units dealing with arms and ammunition and the development of security procedures will be essential. Sequencing of these will be critical in order to comply with sanctions requirements and to develop the capacity of the Somali security sector.

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[8] "Somalia to get small arms after U.N. lifts embargo", Reuters, Doha, 28 March 2013.
[9] See Draft Terms of Reference, Weapons & Ammunition management Technical Working Group, Colonel Anthony Howie, Senior Military Adviser, UNPOS, 10 May 2013.
[10] Communications with UN source, Nairobi, 10 April 2013 and 19 April 2013, and diplomatic source with in-depth knowledge of Somali Militias, Nairobi, 29 April 2013 and 13 May 2013.

25. As a first step, the FGS is identifying its armoury requirements for all elements of the security forces, including the Somali National Defence Forces, Somali National Police and National Intelligence and Security Agency.[11]

26. These requirements and how to address them are being discussed at the Technical Working Group co-hosted by Somali Government representatives and UNMAS, together with representatives from different Somali security forces, international donors and NGOs capable of delivering support in the construction of secure facilities and the training in arms-related activities. The Monitoring Group has been formally invited to participate in this Technical Working Group in June 2013.[12]

Violations of the arms embargo

27. In order to define the chain of custody for arms shipments to Somalia, the Monitoring Group gathered extensive evidence from several Governments and authorities, both Somali and foreign, identifying and documenting general trends, key arms embargo violations, and weapon supply logistics.

28. Between July 2012 and February 2013, security forces in Puntland seized several cargoes reportedly destined for Al-Shabaab.[13] Two cargoes of arms captured in the Bari region of Puntland are documented below. Such cases demonstrated the ability of weapons smuggling networks to mobilise resources in the context of a strategic shift by Al-Shabaab. Information received from Puntland and Yemeni authorities, as well as the Monitoring Group's own investigations,[14] has established Yemen as a principal source of these shipments. Additional evidence indicates the involvement of an individual entity based in Djibouti as part of a network that supplies arms and ammunition to Al-Shabaab in Somalia.[15]

29. Furthermore, the Monitoring Group investigated networks of weapons smugglers transporting cargoes within Somalia, notably in Puntland and Somaliland. Al-Shabaab and associated weapons smuggling networks have access to delivery points across the northern coast of Somalia, around the horn of Somalia governed by Puntland, and to a lesser extent down the coast of central and southern Somalia. The Monitoring Group has received consistent and credible reports of deliveries from as far west as Hiis, in Somaliland, to Qandala and Alula in Puntland, and to the central Somali ports of El Dhere, specifically its twin ports of Ego and Mareeg,[16] as well as the ports of Harardhere (Mudug) and Barawe (Lower Shabelle).[17]

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[11] Ibid.

[12] Communication with UNMAS, 24 April 2013.

[13] For example, the content of the cargoes related to explosive materials and IED-making components indicate that these were destined to Al-Shabaab. Also these cargoes were intercepted in a region where Al-Shabaab operates. Puntland authorities declared that these cargoes were Al-Shabaab's. For further analysis, see below.

[14] Meeting with Puntland security officials, Garowe, 10 November 2012.

[15] Meeting with Government of Yemen officials, Sana'a, 23 April 2013. Official correspondence by the Government of India to the Committee on the supply of detonation cord, 15 April 2013.

[16] Meeting with AMISOM officer and Somali researcher with an intimate knowledge of central Somalia, Mogadishu, 16 January 2013; corroborated by Puntland government security reports, 2013.

[17] Ibid.

30. Deliveries by sea to these coastal locations tend to be for the purpose of resupplying high-grade technical equipment, notably IED components, detonating cord, electric detonators, rocket propelled grenades systems (RPG-7), and light weaponry, such as 7.62mm PKM-type general purpose machine guns.

31. The Monitoring Group has also obtained consistent reports and evidence of the export from Somalia of technical know-how on the manufacture of suicide vests and IED materials to Kenya and Uganda.[18]

32. In a specific example, on 31 March 2013, Kenyan media reported that a bag containing an IED "ready for detonation" was seized from a commercial minibus in Kariobangi, near Nairobi.[19] The IED was a purpose made suicide vest, with pockets secured by Velcro strips, designed to contain sheets of explosives wrapped in plastic and several layers of stainless steel ball bearings to create a fragmentation effect.[20] The vest was fully rigged with red detonating cord, and was also wired with a home-made doubled electrical circuit connected to a Nokia cell-phone. The use of several different initiation circuits linked to the explosive charge was designed to guarantee sure command of detonation at the time of attack (see photographs in annex 6.1.a.).

33. The Monitoring Group has analysed photographic evidence concerning this case from a confidential source and the media; and compared them with suicide vests exploitation reports on suicide vests of similar design and construction captured in Somalia in 2012, which suggests a transfer of know-how between Al-Shabaab in Somalia and Al-Shabaab members or its sympathisers operating in Kenya.

34. Confidential reports indicate several that Al-Shabaab members, among whom two arrived in Kenya in 2012, and were arrested in April 2013 in relation to the manufacture of this suicide vest.

Arms seizures in Puntland

35. Although the Monitoring Group was not given access to information concerning the routine arms and ammunition deliveries to Puntland through commercial channels with the apparent consent of the Puntland authorities, it was gr nted unprecedented access to supplies seized by authorities that were reportedly destined for Al-Shabaab.

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[18] Daily confidential intelligence report, 16 November 2012. Meetings with a diplomatic source who closely investigates proliferation of illicit arms trafficking, Mogadishu, 16 January 2013, and with counter-terrorism law enforcement agency, Kampala, 4 April 2013.

[19] See Daily Nation, http://www.nation.co.ke/News/Police-launch-search-for-criminals/-/1056/1735826/-/my71e9/-/index.html

[20] Communications with confidential diplomatic source, Nairobi, 28 May 2013 and 3 June 2013.

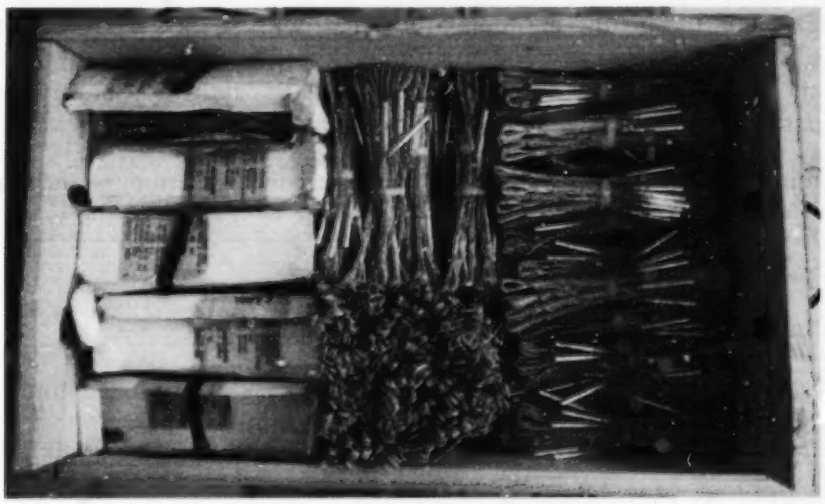
Seizure in Alula, Puntland, July 2012

36. On 11 November 2012, the Monitoring Group inspected a consignment of arms and explosives that had been captured by the Puntland authorities in the coastal town of Alula, in the Bari region of north-eastern Somalia, and subsequently moved into storage in Garowe.

37. The consignment was allegedly delivered to Alula in the days prior to 23 July 2012. Local residents in the vicinity informed Puntland authorities about the delivery. A Yemeni boatman, Mr. Salih Afiif Al-Amudi, involved in the transportation of the material to Alula, was subsequently arrested. In an interview with the Monitoring Group, Al-Amudi admitted he had transported the cargo in a speedboat from the Yemeni port city of Mukullah, and had been paid by a Somali arms trafficker known as Najib Adballah, who operates between Yemen and Puntland.[21]

38. The cargo consisted of 40 kilograms of explosive materials, a number of automatic pistols, and two sacks containing hundreds of electric detonators. Whilst the explosive materials proved to be ammonium nitrate, and the automatic pistols were surprisingly blank-firing pistols, there were over 1,500 detonators (see photographs in annex 6.1.b.).

Electric detonators, manufactured in Germany in 2003, 2004 and 2005, Garowe, 11 November 2012



Electric detonators

39. Among the items found, a large number of detonators appeared to have been manufactured in Germany. Markings on the cartons containing the detonators referred to the German manufacturer ORICA GERMANY GMBH.[22] Each carton contained 100 Dynadet-U-Oms detonators of medium intensity manufactured in 2003, 2004 and 2005. The Monitoring Group received independent

[21] Interview with Al-Amudi, Garowe, 10 November 2012.

[22] Orica Mining Services, (Orica Germany Gmbh – Orica Europe Pty Ltd & Co Kg), 53840 Troisdorf, Germany is owned by Orica Limited, East Melbourne, Victoria 3002, Australia.

confirmation that these detonators were sold to individuals and entities in Yemen and is continuing to follow up with the Yemeni security services.

40. In the meantime, significantly, detonators of the same manufacturer and model were identified as components built into well-designed suicide bomber vests, captured by the Puntland security forces in Galkayo on 17 November 2012.[23]

Bag containing a white granular substance

41. Although Puntland's initial report referred to an explosive compound in a bag, the Monitoring Group was able to determine that it probably contained Ammonium Nitrate, a fertilizer also commonly used in the manufacture of homemade explosive compounds for IEDs.[24] Two such bags containing ammonium nitrate were also part of a seized cargo near Qandala on 17 October 2012, as below.

Blank-firing pistols

42. The pistols depicted in Puntland's initial report and subsequently inspected and researched by the Monitoring Group, were found to be blank-firing pistols. They cannot shoot a projectile in their original condition. These pistols are made by ATAK Arms of Istanbul, Turkey. The ZORAKI Hand Gun M.814 model[25] uses 9mm P.A.K. Blank Ammunition[26] and holds 14 rounds (see photographs in annex 6.1.b.).

43. These pistols produce a loud blast, like a real shot. This model can fire in either semi-automatic or fully automatic mode. It field strips as a genuine semi-automatic hand gun, and looks and feels authentic in terms of size and weight. Their frame structure is made of polymer, with an added layer of chrome.

44. To the Monitoring Group's knowledge, this is the first time that such pistols have been identified in a shipment reported for Al-Shabaab. Sources in European law enforcement agencies report that similar blank-firing pistols have been modified (re-bored) to fire projectiles, and used in robberies. Given the inherent design and materials originally used, they remain unreliable, subject to backfiring and can seriously wound the operator.[27]

45. Given the nature of this small scale but significant case, in the context of multiple reports of ongoing weapons smuggling into the Bari region from Yemen, and the consistent use of electric detonators in IED attacks, the Monitoring Group recommends further investigation into weapons smuggling to Somalia coordinated by Al-Shabaab-affiliated networks in Yemen.

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[23] Meeting with specialist in counter-IED, Nairobi, 12 May 2013.
[24] Meeting with specialist in counter-IED, Nairobi, 29 April 2013.
[25] Manufactured by Atak Silah San. Tic. Ltd., Istanbul, Turkey. The pistols are of the Atakarms series.
[26] "P.A.K." is the German acronym for "Pistole Automatik Knall", which basically means "blank ammunition for automatic pistol", a specific term used for non-lethal weapons.
[27] Communications with law enforcement agencies, Brussels, 11 March 2013, and Nairobi, 7 April 2013.

The critical nature of such components, and the relative ease of transportation from Yemen, is suggestive of a predictable and consistent supply source and of other undetected instances where supplies of detonators evaded the embargo.

Seizure in Qandala, Puntland, October 2012

46. On 17 October 2012, members of the local community living near Qandala, in the Bari region of north-eastern Somalia, informed Puntland authorities in Bosaso that a "fiberglass dhow of the type known to originate from Yemen" landed at a natural bay called "Butiyalo".[28] Five males disembarked and unloaded a significant cargo of arms and ammunition. Puntland authorities alleged that the dhow had evaded capture and disappeared.[29] The Monitoring Group was not shown evidence of the type of ship used.

47. Puntland security forces launched an operation that resulted in the capture of 37 sacks. These bags contained a large number of munitions and explosive equipment, including:

- 220 PG-7 rounds
- 304 PG-7 propellant charges (boosters)
- Five rolls of detonating cord
- 500 electric detonators
- 137 kg of TNT
- One 73 mm gun (2A28 Grom)
- 230 hand-grenade detonators
- Two bags of ammonium nitrate

Arms captured near Qandala, 19 October 2012 – Source: Puntland Administration

[28] The Qandala area offers a series of natural bays and beaches that have been traditionally used by smugglers for decades.

[29] Meetings with Puntland security officials who seized the arms consignment, Garowe, 6 and 7 December 2012.

48. The Monitoring Group conducted a physical inspection of the cargo and confirmed that the quantity of material captured matched the original report of the Puntland authorities, and obtained information that the cargo had been contaminated by seawater.[30]

49. The Qandala seizure represents one of the most important captures of arms in recent years, both in terms of the volume of cargo, diversity and nearly new condition of the majority of the ammunition. In short, this shipment offered the Al-Shabaab consignee a full complement of all the items required to manufacture IEDs and engage in a variety of other and notably more conventional offensive operations. The range of items was extensive enough for one Al-Shabaab unit to sustain a yearlong IED campaign.

PG-7 anti-tank rounds and propellant charges for RPG-7

50. PG-7 anti-tank rounds and propellant charges for RPG-7 constitute the largest component of this arms consignment. Most of the explosives and propellant charges (PG-7 anti-tank rounds for RPG-7) were in nearly new condition, with many items still wrapped in their original plastic and paper packaging. With the cooperation of the Government of Bulgaria, the Monitoring Group was able to determine that the majority of charges were manufactured in Bulgaria (see photographs in annex 6.1.c.).[31]

51. The data supplied by the Bulgarian government also verified the presence of the following ammunition (see photographs in annex 6.1.c.):

- Propellant charges [type N/A], lot No. 01-10-11, manufactured in 2010, and used for the production of 40mm rounds OG-7V
- Propellant charges CP-1, Lot No. 10-29-09, manufactured in 2009, and used for the production of 40mm rounds RF-7MA.
- Propellant charges CP-71, Lot No. 10-09-09, manufactured in 2009 and used in the production of 40/73mm RHEF-7MA.
- Label of a transportation container for propellant charges CP-1, Lot No. 10-29-09, manufactured in 2009, and used in the production of 40mm rounds RF-7MA.
- Propellant charges PG-7PM, Lot No. 10-11-08, manufactured in 2008, and used in the production of 40/73mm rounds RHEAT-7MA.
- Propellant charges [type N/A], Lot No. 10-05-11, manufactured in 2005, and used in the production of PG-7VM explosive charges.

52. In 2010, all PG-7 rounds assembled with propellant charges from these lot numbers were delivered to the armed forces of Yemen.[32] The Monitoring Group has further

[30] Meetings with Puntland security official who seized the arms consignment, Bosaso, 7 December 2012.

[31] Production years range across 1967, 1971, 1982, 1986, 1988, 1998 and as recently as 2007.

[32] "Authorised brokers for the transaction were General Headquarters of the [United Arab Emirates] UAE Armed Forces and International Golden group PISG, UAE", Letter from Permanent Mission of the Republic of Bulgaria to the United Nations, 30 April 2012, in reply to Monitoring Group letter reference number S/AC.29/2013/SEMG/OC.11 of 12 February 2013.

communicated a series of requests for information to the Government of Yemen. The Monitoring Group is awaiting the response.

Rolls of detonating cord

53. The Government of India provided essential information regarding five rolls of detonating cord, model Detonating Fuse/Cord – 10 gm (SUN CORD-10), manufactured in India by the firm Vetrivel Explosives Pvt Ltd. (see photographs in annex 6.1.c.).[33] The five rolls seized were part of a consignment of 400 rolls that the manufacturer exported from India in October 2009 to apparently a private customer, based or registered in Djibouti.

54. A confidential intelligence source has since confirmed that the five rolls of detonating cord were transferred from Djibouti to Yemen, before their final delivery in Puntland.[34] The Monitoring Group has communicated a series of requests for further information to the Governments of Djibouti and Yemen. The Permanent Mission of India to the United Nations has proposed to seek additional clarification from the Indian supplier.[35] Monitoring Group is awaiting the response.

Electric detonators

55. The cargo also included electric detonators of model Instantaneous Electric Detonators (CDET Electra), manufactured in India by the firm CDET Explosive Industries Private Ltd. The detonators were packaged in 18 bundles of about 10 detonators each. Each bundle was affixed with a specific label, unmarked with the exception of the figures "17" and "17-8". There were additional markings as follows: "C DET Crimping - Cubicle No.: [N/A] - Date of Mfg.: [N/A] - Shift: I II III".[36] The Monitoring Group is expecting further information from the Government of India.

Other arms and ammunition

56. The shipment also comprised an assortment of Soviet-made arms and ammunition;[37] such as a large quantity of 200gr and 400gr TNT explosive charges, a 73mm low pressure smoothbore semi-automatic gun, probably disassembled from the turret of a Soviet-made BMP-1 infantry fighting vehicle, and hand-grenade detonators.

57. The diversity in years of production of the weapons and ammunition in this consignment, much of it decades old and from several different countries, indicates that this consignment was probably assembled by a commercial weapons dealer, sourcing arms and

[33] Letter from the Permanent Mission of India to the United Nations, in reply to Monitoring Group letter reference number S/AC/2013/SEMG/OC.1 of 8 January 2013.
[34] Communication with confidential source who researched the routing of the detonation cord rolls from Djibouti to Puntland, Nairobi, 29 April 2013.
[35] Email communications from the Permanent Mission of India to the Secretary of the Committee on Somalia and Eritrea, 23 May 2013.
[36] See photographs in annex 6.1.c.
[37] Communication with a diplomatic source, Nairobi, 30 June 2013.

ammunition from a wide variety of origins, intermediaries, makes and years of manufacture.[38] The shipment also contained two bags of ammonium nitrate, used in the manufacture of homemade explosives for IEDs.

58. This consignment reflects the capacity of Al-Shabaab to source good quality arms and ordnance supplies, illicitly ship munitions into and through areas also controlled by the Government, and circumvent international regulation of the arms trade. While a notable contrast to the small-scale yet operationally critical supply of detonators via a single Yemeni fisherman, the diversity of platforms and materiel suggest the high degree of organisation and funding Al-Shabaab is capable of accessing and maintaining, as well as the central role that their networks in Yemen and in the region play.

AMISOM arms and ammunition storage

59. In 2012, it was brought to the attention of the Monitoring Group that an arms and ammunition storage facility located within the perimeter of the AMISOM base in Mogadishu contained arms and ammunition of various provenances, including Libya and North Korea, which were mostly destined for the TFG.

60. On 15 February 2013, the Monitoring Group presented a summary of these initial findings to the Committee and recommended the clearer mandating of UNMAS to manage and dispose of unserviceable munitions.[39] The Committee suggested that the Monitoring Group consult with the Panel of Experts established pursuant to resolution 1973 (2011) concerning Libya (hereafter the Panel of experts on Libya) and liaise with AMISOM to clarify the circumstances under which these arms and ammunition reached Mogadishu.[40] The Monitoring Group initiated a series of requests to establish the current situation of the stores, including considerations of safety and security.

61. Further to its previous mandates,[41] the Monitoring Group obtained additional detailed evidence, including past and recent photographs, partially documenting the volume and nature of the small arms, light weapons and ammunition present in these depots, which are placed under the authority of the AMISOM Sector 1 Commander, Brigadier Michael Odonga. The Monitoring Group was able to determine that these stocks were originally modest in volume, but steadily grew in the last couple of years.[42] As the stocks grew, they comprised an ever greater range of arms and ammunition types, Governments of manufacture, and countries of initial delivery.

[38] Production years range from 1967, 1971, 1982, 1986, 1988, 1998 and as recently as 2007.
[39] Monitoring Group Midterm Briefing to the Committee, New York, 15 February 2013.
[40] The Monitoring Group was given the mandate to report on the progress made in the areas described in paragraph 39 (b) and (c) of resolution 2093 (2013), and on any misappropriation or sale to other groups including militias. See resolution 2093 (2013), paragraph 41.
[41] S/2011/433, paragraph 133.
[42] Meeting with former Monitoring Group arms expert who documented the nature and range of munitions present in the same location in January 2011, and who recognised that some of the munitions photographed in 2012 were already present at the time of his visit.

Nature and range of arms and ammunition stored by AMISOM

62. The arms and ammunition stored by AMISOM represent a widely varied range of countries of production and countries of final destination.

63. Arms and ammunition documented at the stores can be de categorized as:

- Arms and ammunition captured from Al-Shabaab;
- Arms and ammunition bound for the TFG; and
- Ammunition allocated to AMISOM that is unserviceable and requiring disposal.

Arms and ammunition captured from Al-Shabaab

64. The most common types of arms captured from Al-Shabaab present in the AMISOM stores are old small arms and light weapons in poor condition. There are large quantities of Kalashnikov-pattern assault rifles and an array of vintage arms.

Assault rifles captured from Al-Shabaab, AMISOM Sector 1 arms and ammunition stores, 2012

Arms and ammunition destined for the TFG

65. In 2011, the Monitoring Group reported that AMISOM "began overseeing the storage and dispensation of the arms and ammunition of the Transitional Federal Government."[43] Over time, AMISOM began conducting assessments for donor deliveries of weapons and ammunition for the Somali National Army (SNA), determining the types of equipment required given the conditions onthe ground.[44] Consequently, AMISOM stored arms and ammunition

[43] S/2011/433, paragraph 133.

[44] Communications with diplomatic and security sector sources who have direct experience of combat conditions in Mogadishu and southern Somalia, Mogadishu, 16 and 18 January 2013, and Nairobi, 17 and 22 March 2013.

consignments from foreign donors.[45] In a number of cases, these weapons were initially delivered to other countries and in turn were supplied to Somalia.

66. When TFG stocks were depleted in 2010, AMISOM began distributing arms and ammunition from its own stocks to the TFG and allied militias.[46] Cases of arms and ammunition diversion by TFG soldiers were particularly problematic and documented at a time when AMISOM was fully engaged in armed combat with Al-Shabaab in and around Mogadishu. It had little option but to continue supplying weapons to the TFG on the ground. Similarly, AMSIOM supplied weapons to allied militias who also sold portions of their stocks at the Bakaara market, which were ultimately obtained by Al-Shabaab.[47]

67. Given its concerns about arms and ammunition diversion, AMISOM refrains from distributing larger calibre arms and ammunition, such as multiple rocket launchers, 60mm mortars and B-10 recoilless rifles, to militia and SNA units of the TFG and remained stored. Such weapons were not needed for urban warfare conducted at the time, and the concerns over diversion and loss on the battlefield were valid.[48]

Unserviceable AMISOM ammunition

68. AMISOM currently maintains stores of unserviceable ammunition in need of disposal. The Monitoring Group met with representatives of AMISOM, UNMAS and UNSOA to address the accumulated and growing stocks of ammunition and to undertake a comprehensive assessment of the safety and security implications at the stores.[49]

69. According to AMISOM officers and confirmed by UNMAS officials, the reason for this unusual accumulation of unserviceable ammunition is due to the rapid development of international infrastructure around Mogadishu airport that closed down the ammunition disposal area, until it was recently used by UNMAS.[50]

[45] Meetings with diplomatic sources, Mogadishu, 25 October 2012 and 14 January 2013; and Nairobi, 26 November 2012, and 9 January 2013, 25 March 2013, 29 April 2013, and 17 May 2013; phone and email communications, Nairobi, 22 January 2013, 16 March 2013, 19 March 2013, 10 April 2013, 9 may 2013 and 22 May 2103. Meetings with regional arms expert who researched arms and ammunition deliveries and stocks in Somalia in 2010-2011, Nairobi, 11 December 2012, 22 March 2013, 1 June 2013; email and telephone communications, Nairobi, 10 December 2012, 9 January 2013, 11 February 2013, 20 March 2013, 11 April 2013, 24 April 2013, 3 May 2013, 7 May 2013, 17 May 2013, 21 May 2013, 5 June 2013.

[46] S/2011/433, paragraph 133.

[47] Ibid. paragraph 135.

[48] Meetings with security sector specialist who has direct experience of combat conditions in Mogadishu and southern Somalia, Nairobi, 11 and 19 March 2013.

[49] Meetings and communications with AMISOM, Nairobi, 13 January, 19 March, 22 March, 19 April, 3 May, and 5 June 2013; meetings with UNMAS, Nairobi 25 March, 22 April and 13 May 2013; meeting with UNSOA, Nairobi, 27 March 2013.

[50] Ibid.

70. Furthermore, according to an UNMAS assessment report, AMISOM is planning to consolidate its arms and ammunition storage requirements at an alternate location.[51] UNMAS is currently identifying an appropriate disposal site for unserviceable ammunition.[52]

Other arms and ammunition

Libya

71. At the AMISOM stores in Mogadishu, the Monitoring Group has documented several cases of munitions with markings identifying the country of production, including former Yugoslavia and the Democratic People's Republic of Korea (DPRK), and their initial delivery to Libya (see photographs in strictly confidential annex 6.1.d.).

72. It is unclear, however, when these weapons were transferred from Libya to Mogadishu, and whether there were any intermediary transit points and owners between their delivery from Libya to Somalia. Due to this information gap, it is not certain whether the munitions entered Somalia in violation of the arms embargo on Libya.[53]

73. The Monitoring Group did clarify the status of two ammunition consignments that were once delivered to Libya and which are now present in the AMISOM depot. In consultation with the Panel of Experts on Libya, the Monitoring Group established that the first set of boxes containing 120mm mortar projectiles in an AMISOM depot, originally from the former Yugoslavia, were also identified in an ammunition dump located in Ajdabiya, eastern Libya.[54] Both boxes of mortar ammunition bore identical contract numbers (see photographs in strictly confidential annex 6.1.d.).

74. In addition, the Monitoring Group and the Panel of Experts on Libya identified a second set of boxes containing 14.5mm heavy machine gun ammunition, originally from the DPRK, which were part of a much larger consignment to Libya.[55] The box illustrated in strictly confidential annex 6.1.d. is the first of a 600 box order. Notably, the ammunition box is mislabelled, only referring to "Bearing".[56]

75. Contract reference marking on the ammunition boxes, identified in Mogadishu, indicate that this ammunition was produced in the DPRK factory number 93. They also indicate that the supplying contract was established in 1977. In addition, during 2012, the Panel of Experts on Libya was given access in Libya to ammunition boxes of the same contract number and

[51] Ammunition Storage Assessment – AMISOM, UNMAS report, Mogadishu, 8 April 2013.
[52] Meeting with UNMAS, Nairobi, 18 May 2013.
[53] Security Council resolutions 1970 (2011), 1973 (2011), 2009 (2011), 2040 (2011) and 2095 (2013), and more specifically paragraph 10 of resolution 1970 (2011).
[54] Meetings the Panel of Experts on Libya, Addis Ababa, 30 October 2012, and London, 15 December 2012; followed by email and telephone communications, 11 February, 19 March, 21 April, 2 May, 28 May, 1 June and 7 June 2013.
[55] Since the date of entry into Libya and chain of custody remain unknown, it cannot be established whether there is a violation of Security Council resolutions on DPRK, mainly 1718 (2006), 1874 (2009), and more specifically with regard to SALW paragraph 9 of resolution 1874 (2009).
[56] Ibid.

ammunition content with identical markings.[57] The Panel of Expert on Libya had access to the heavy machine gun 14.5 mm rounds, manufactured in DPRK and observed markings indicate 1978 production (see photographs in strictly confidential annex 6.1.d.).

76. Both the Monitoring Group and the Panel of Expert on Libya in no way imply that AMISOM is in breach of sanctions on Libya, but seek the assistance of AMISOM and other concerned parties to better understand the chain of custody of the weapons. As such, experts from the Monitoring Group and the Panel of Experts on Libya are planning to conduct a joint field mission to Mogadishu during the summer 2013.

Iran

77. Among the various weapons viewed in the AMISOM stores are a small series of nearly new RPG-7-type launchers of recent manufacture. Close inspection revealed that specific features, such as the curved hand-grip and yellow painted cross located on the front iron sight, closely resemble Iranian manufactured RPG-7 launchers (see photographs in strictly confidential annex 6.1.d.).[58] Stripping the RPG launcher exposed the only marking on the entire weapon: three digits etched by dot pin marking (laser).[59] The Monitoring Group is following-up with Iranian authorities.

Sudan

78. In January 2011, the Monitoring Group identified dozens of medium calibre arms and ammunition that Sudan had supplied to the TFG in 2010, in violation of the arms embargo. Sudan supplied Sudanese manufactured RPG-7 launchers and 82mm mortar bombs (see photographs in strictly confidential annex 6.1.d.). This information has not been documented before.

79. In the AMISOM storage containers inspected in January 2011, the packing documents contained in the crates of the RPG-7 launchers and 82mm mortar bombs, as well as the markings on the bombs, indicating that these items were manufactured at the Yarmouk Industrial Complex in Khartoum, Sudan, in 2009 and 2010, respectively (see photographs in strictly confidential annex 6.1.d.).[60] Based on these dates and the date of inspection by the Monitoring Group, the arms and ammunition must have been supplied sometime during 2010.

Suspicious ships and shipments along the Somali coast

80. During the course of its current mandate, the Monitoring Group observed several ships navigating irregular sailing patterns in the Gulf of Aden. In particular, two ships warranted

[57] The Panel of Experts on Libya wishes to keep the exact location and date of observation confidential. Email and phone communications with the Panel of Experts on Libya, Nairobi, 28 May and 7 June 2013.

[58] Meetings with diplomatic source, Mogadishu, 16 January 2013 and 18 January 2013; Nairobi, 21 February 2013, 17 March 2013, 25 March 2013, 7 April 2013 and 17 May 2013. Meetings with regional expert on small arms and light weapons, Nairobi, 21 March 2013 and 1 June 2013.

[59] Ibid.

[60] Meeting with regional expert on small arms and light weapons, Nairobi, 22 March 2013 and 1 June 2013.

further investigation. First, the North Korean MV Dae San docked offshore in close proximity to known weapons trafficking corridors in Somalia.[61] Second, the Jihan 1, an Iranian dhow, was transporting a large weapons cargo, allegedly bound for Northern Yemen, but also connected to Somalia.[62]

The Case of the MV Dae San

81. The MV Dae San is a DPRK-flagged vessel which the Monitoring Group boarded on two occasions.[63] In 2012, it followed a path between the UAE, Oman and Somalia. On 15 July 2012, the vessel departed Port Rashid, UAE, having declared a cargo of 4500 tonnes of cement. On 22 July 2012, it sustained a critical leak to its hull and the captain decided to repair the water ingress in the Omani ports of Duqum and then Salalah. After the repairs, the vessel crossed the Gulf of Aden and dropped anchor within two miles of the Puntland coast near Alula, between Ras Alula and Ras Asayr, an area known for the anchorage of pirated vessels and weapons deliveries.[64] Initially, during his meeting with the Monitoring Group, the captain omitted to mention that he had docked the vessel near Alula, but when confronted with signals data, he stated that he had docked at that location due to engine trouble.

82. The Dae San then set sail for Socotra and spent thirteen days off the main island, allegedly to avoid monsoon conditions and wait for better weather conditions. The captain claimed that he took this opportunity to further repair the crack in the vessel's hull.

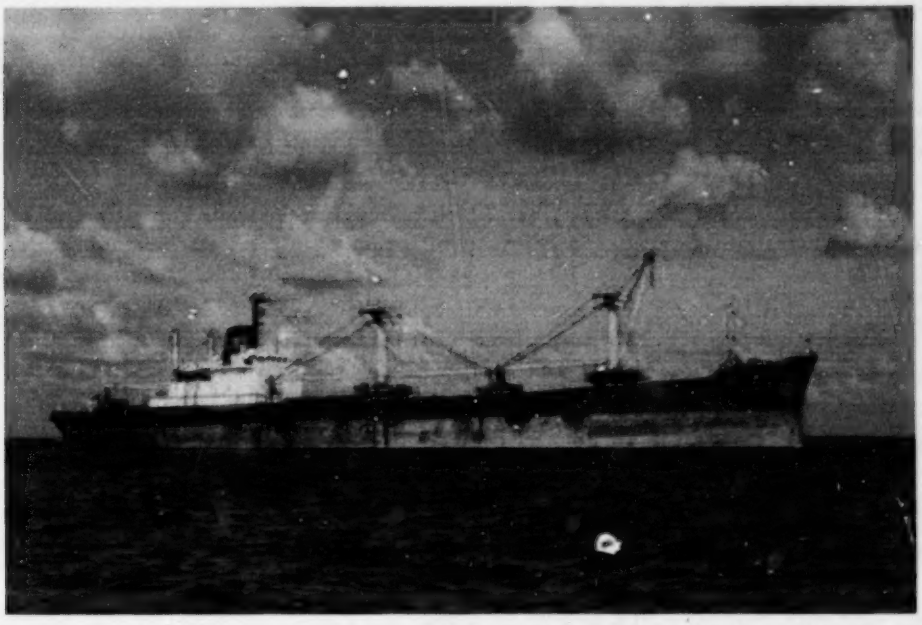
83. On 20 September 2012, the Dae San sailed on to Mogadishu, where, according to the captain, the consignee refused to accept the cargo of cement because it had been damaged by water and solidified into blocks. On 28 October 2012, the captain decided to sail back along the coast and dropped the bags of cement at about 45 nautical miles north of Mogadishu. He anchored 1.8 nautical miles offshore at an Al-Shabaab-controlled area to dispose of the damaged cargo and partly to rebalance the ship. The captain stated that over seven days, the crew threw overboard about 450 metric tonnes of cement.[65] When Somali nationals were seen preparing to sail across the short stretch of water to visit the ship, it sailed further north. On 6 November 2012, the vessel stopped twelve nautical miles west of Qandala, Puntland, anchoring two nautical miles offshore, in plain sight of two vessels hijacked by pirates.[66] According to the captain, the crew dumped another 20 metric tonnes of cement overboard.

84. On 16 November 2012, Puntland authorities impounded the Dae San after the local community in the Bari region reported that the ship's crew was dumping bags of cement into

[61] Communication with diplomatic source, Nairobi, 26 September 2012.
[62] "Yemen Seizes Sailboat Filled With Weapons, and U.S. Points to Iran", *The New York Times*, 28 January 2013.
[63] The inspections were conducted from the port of Bosaso on 7 and 8 December 2012. During the inspection, the Monitoring Group interviewed the ship's Captain, Mr. Ri Yu Chan, and his second in command. Partial video recording captains archived with the UN.
[64] The MV Dae San anchored at Duqum on 24 July 2012 for 24 days, then in Salalah on 22 August 2012, and Socotra on 7 September 2012. Interviews with Mr. Ri Yu Chan, Captain of the Dae San, Bosaso, 7 and 8 December 2012.
[65] Ibid.
[66] The MV Smyrni and MV Royal Grace (freed in March 2013). The Dae San's position at anchor was also about 20 kilometres from one of the main pirate camps onshore.

the sea, a fact confirmed by a PMPF helicopter dispatched to the scene that saw its five hatches open and the overboard dumping.

MV Dae San, Bosaso, 7 December 2013 (see annex 6.1.e. for additional photographs)



85. When the Monitoring Group reviewed the ship's documentation onboard, it discovered that the Dae San carries an international certificate for the transportation of dangerous goods (class 6.2 and 7), and that it had recently ferried ammonium nitrate. The captain had initially denied holding any dangerous goods certificate.[67]

86. Overall, in a short period, the Dae San captain had charted a suspicious course to locations controlled by Somali pirates and Al-Shabaab. It carried cement sacks, a preferred means of concealing illicit materials, ordinance, small arms and weapons.[68] The Monitoring Group could not confirm what the Dae San delivered to Somalia. However, the case indicates the opportunities available for individual operators, larger yachts, dhows, and internationally registered vessels to violate the arms embargo. Consequently, the Monitoring Group recommends that, when warranted, the monitoring and possible intercept of such transport ships in the vicinity of pirate strongholds and areas not controlled by Somali authorities as a deterrent measure.

[67] Interviews with the captain of the Dae San, Bosaso, 7 and 8 December 2012.
[68] Cement cargo has similar volume weight ratio as small arms and weapons cargo.

The case of the Jihan 1

87. The Monitoring Group was first alerted to the Jihan 1, an Iranian wooden dhow, when the New York Times published an article detailing its cargo and its destination in Yemen, where the authorities seized the ship, its crew and contents.[69]

88. In May 2013, the Monitoring Group visited Yemen and met with the Yemeni General Counsel of the Ministry of Justice, and the Public Prosecutor in the case of the Jihan 1.[70] The Prosecutor provided a list of all items supporting the Prosecutor's case, including a detailed account of all arms and ammunition onboard the Jihan 1 from the time Yemeni authorities seized the ship off the coast of Yemen on 23 January 2013 (see annex 6.1.f.). The shipment included a large quantity of explosives and bomb-making equipment, as well as twenty Man-Portable Air-Defence Systems surface to air missiles. According to Yemeni security officials, the arms and ammunition were well packed in small containers, all of which were concealed inside several large compartments filled with diesel fuel.[71]

89. Yemeni officials indicated that this arms consignment was to be delivered to the Huthi rebellion in northern Yemen. However, the Monitoring Group investigated if some of the Jihan 1 cargo could have been intended for delivery in Somalia as well. When asked about this, security officials confirmed that the diesel could have been bound for Somalia. Members of the crew have also divulged to a diplomatic source who interviewed them in Aden that the diesel was bound for Somalia.[72]

90. In an interview given on 12 February 2013, the Minister of Finance in Puntland, Farah Ali Jama, commented on the authorities' decision to pass a law banning all petroleum imports from Yemen. Besides an economic rationale, the Minister also admitted that: "... security is one of the reasons why Puntland banned the petroleum imports from Yemen, due to several reports of arms being brought into Puntland from Yemen".[73] The President of Puntland, Abdirahman Mohamud 'Faroole', declared to the Monitoring Group that such arms can be smuggled inside diesel containers.[74]

91. The Monitoring Group is continuing its investigations and plans to write to both the Government of Yemen and the Puntland authorities, requesting clarifications and evidence regarding their respective declarations.

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[69] "Yemen Seizes Sailboat Filled With Weapons, and U.S. Points to Iran", *The New York Times*, 28 January 2013.
[70] Meeting at the Ministry of Foreign Affairs, Government of Yemen, Sana'a, 23 April 2013.
[71] Ibid.
[72] Interview with diplomatic source, 4 March 2013.
[73] See Garowe Online, cited by Allafrica website at: http://allafrica.com/stories/201302120830.html, 12 February 2013.
[74] Meeting between the Monitoring Group and President of Puntland, Abdirahman Mohamud 'Faroole', Garowe, 19 March 2013.

Annex 6.1.a: Transfer of technical knowledge from Somalia - Suicide vest captured in Kenya

Dissected suicide vest exposing sheets of high explosive, steel ball bearings layer, and the detonating cord routed through the vest, Kariobangi, 31 March 2013.[1]

Disassembled suicide vest showing high explosive sheets and steel ball bearings wrapped in cloth and plastic sheets, with red detonating cord and electric circuit connected to a Nokia cell-phone. Confidential source, Kariobangi, April 2013[2]

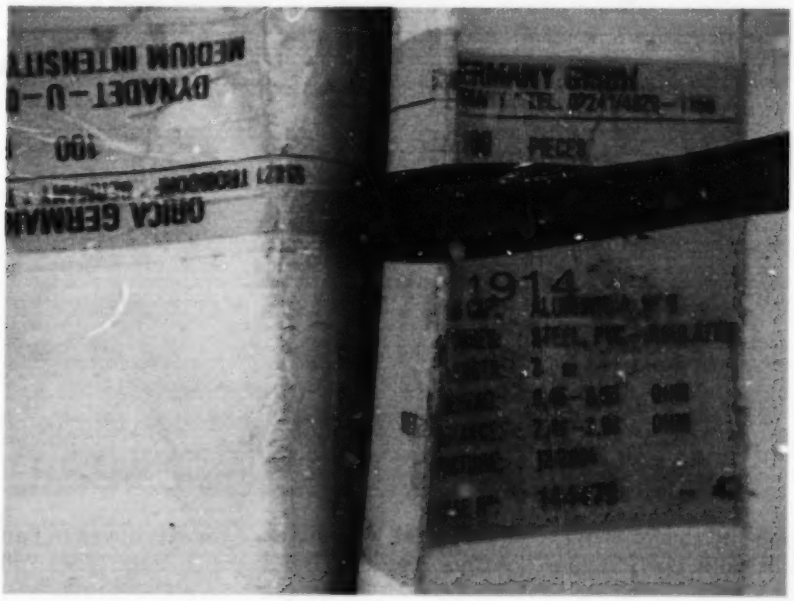
[1] Photograph by Dennis Ochieng, "Police launch search for criminals linked to failed bus bombing bid", published in DailyNation, 31 March 2013. http://www.nation.co.ke/News/Police-launch-search-for-criminals/-/1056/1735826/-/my71e9/-/index.html

[2] Meeting with confidential diplomatic source, Nairobi, 3 June 2013.

Annex 6.1.b: Alula seizure, Puntland, 20 July 2012

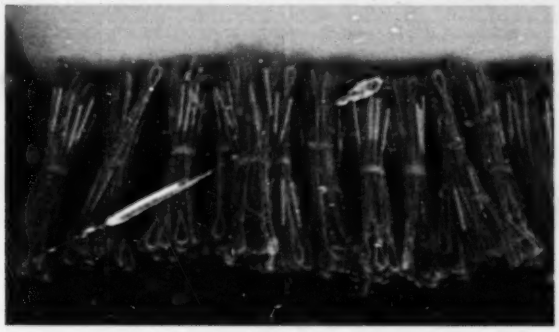
Electric detonators, manufactured in Germany in 2003, Garowe, 11 November 2012

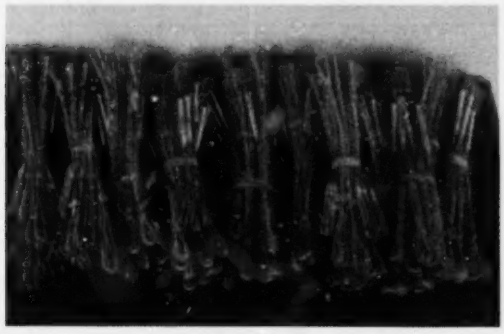
Electric detonators, manufactured in Germany in 2004, Garowe, 11 November 2012



Electric detonators, manufactured in Germany in 2005, Garowe, 11 November 2012

Electric detonators, manufactured in Germany, Garowe, 11 November 2012





Electric detonators packaging, manufactured in Germany, Garowe, 11 November 2012

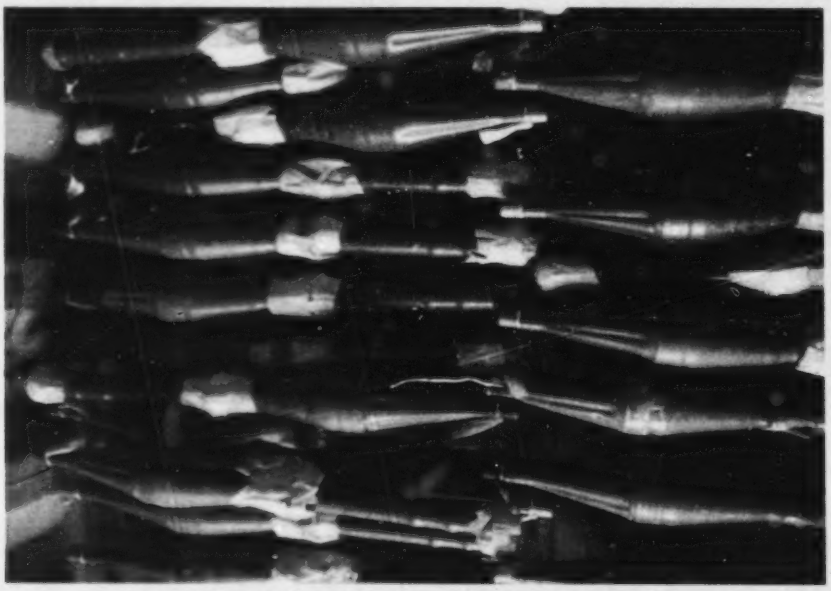
Blank firing pistols, manufactured in Turkey, Garowe, 11 November 2012

Blank firing pistols, manufactured in Germany, Garowe, 11 November 2012

Annex 6.1.c : Qandala seizure, Puntland, 17 October 2012

PG-7 anti-tank rounds for RPG-7

PG-7 rounds manufactured in Bulgaria between 1967 and 1988, Bosaso, 7 December 2012

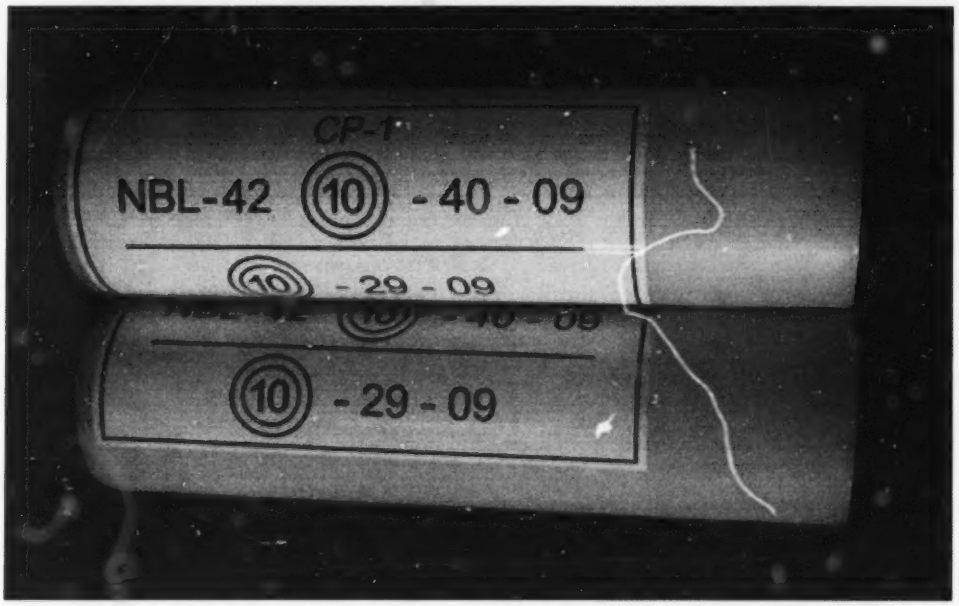


PG-7 rounds manufactured in Bulgaria between 1967 and 1988, Bosaso, 7 December 2012

PG-7 propellant charges for RPG-7

Propellant charges [type N/A], lot No. 01-10-11, manufactured in Bulgaria in 2010, and used for the production of 40mm rounds OG-7V, Bosaso, 7 December 2012

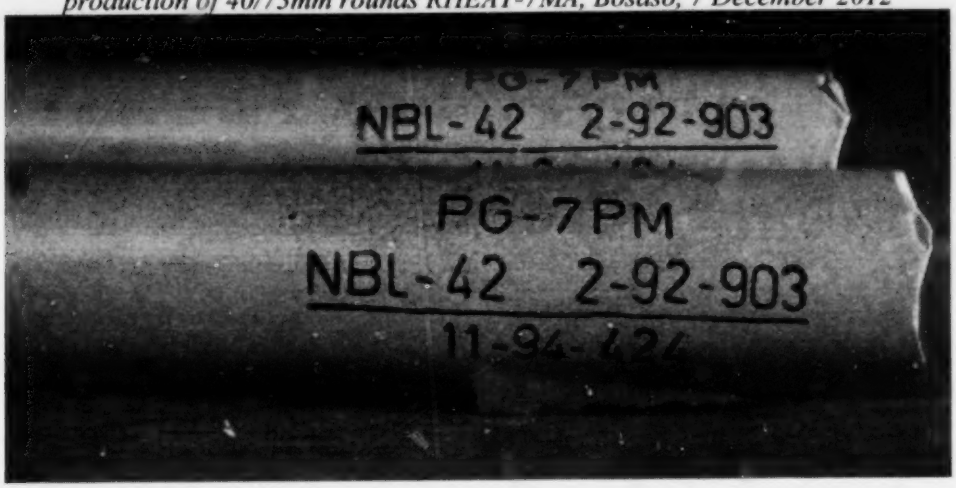
Propellant charges CP-1, Lot No. 10-29-09, manufactured in 2009, and used for the production of 40mm rounds RF-7MA, Bosaso, 7 December 2012



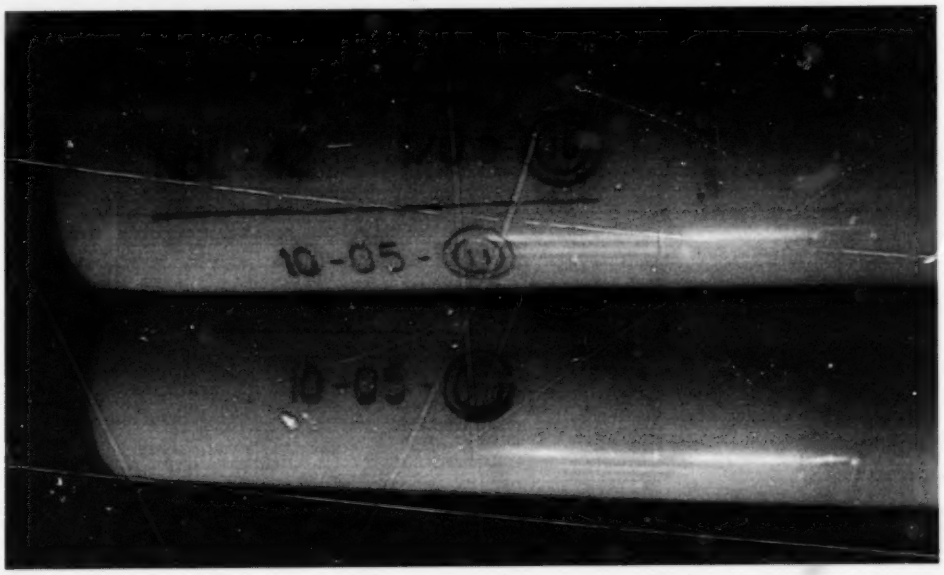
Propellant charges CP-71, Lot No. 10-09-09, manufactured in Bulgaria in 2009 and used in the production of 40/73mm RHEF-7MA, Bosaso, 7 December 2012

Label of a transportation container for propellant charges CP-1, Lot No. 10-29-09, manufactured in Bulgaria in 2009, and used in the production of 40mm rounds RF-7MA, Bosaso, 7 December 2012

Propellant charges PG-7PM, Lot No. 10-11-08, manufactured in Bulgaria in 2008, and used in the production of 40/73mm rounds RHEAT-7MA, Bosaso, 7 December 2012



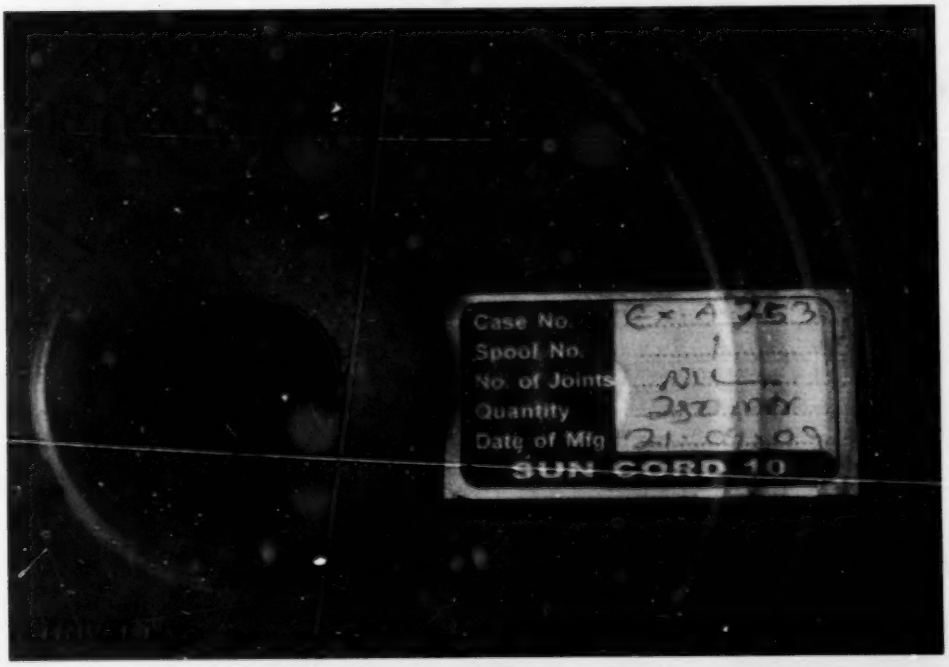
Propellant charges [type N/A], Lot No. 10-05-11, manufactured in Bulgaria in 2005, and used in the production of PG-7VM explosive charges, Bosaso, 7 December 2012



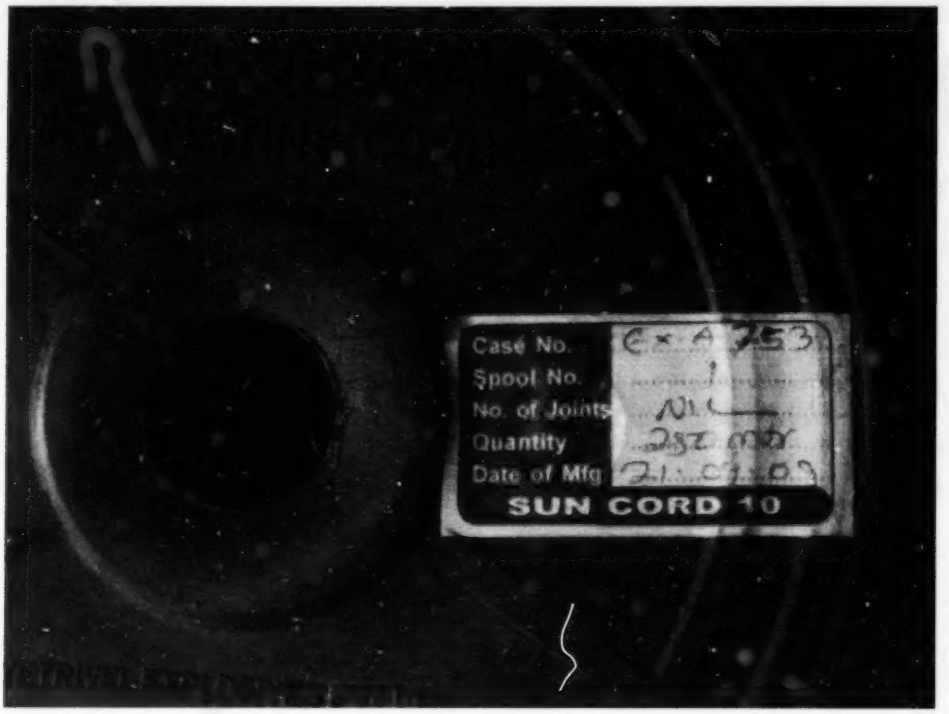
Rolls of detonating cord

Five rolls of detonating cord, manufactured in India, Bosaso, 7 December 2012

Roll of detonating cord, manufactured in India, Bosaso, 7 December 2012



Roll of detonating cord, manufactured in India, Bosaso, 7 December 2012



Electrical detonators

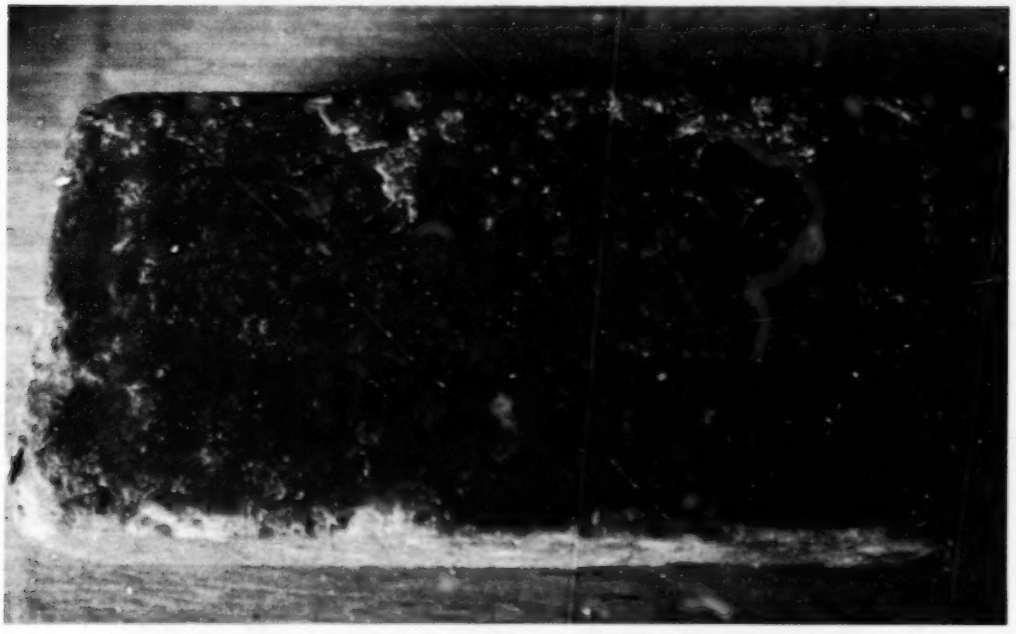
Electric detonators, manufactured in India, Bosaso, 7 December 2012

Label, electrical detonators, manufactured in India, Bosaso, 7 December 2012

Individual explosive charges

400gr TNT charge, Soviet-made, Bosaso, 7 December 2012

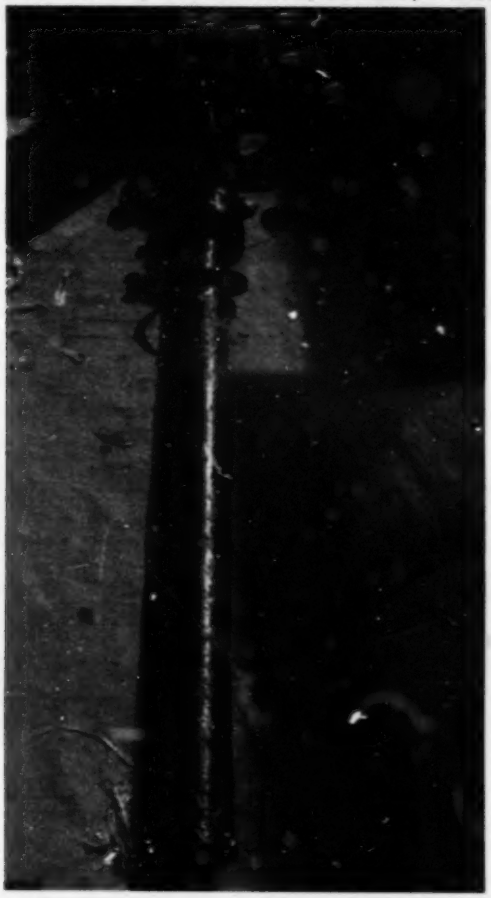
200gr TNT charge, Soviet-made, Bosaso, 7 December 2012,



73mm gun - 2A28 Grom

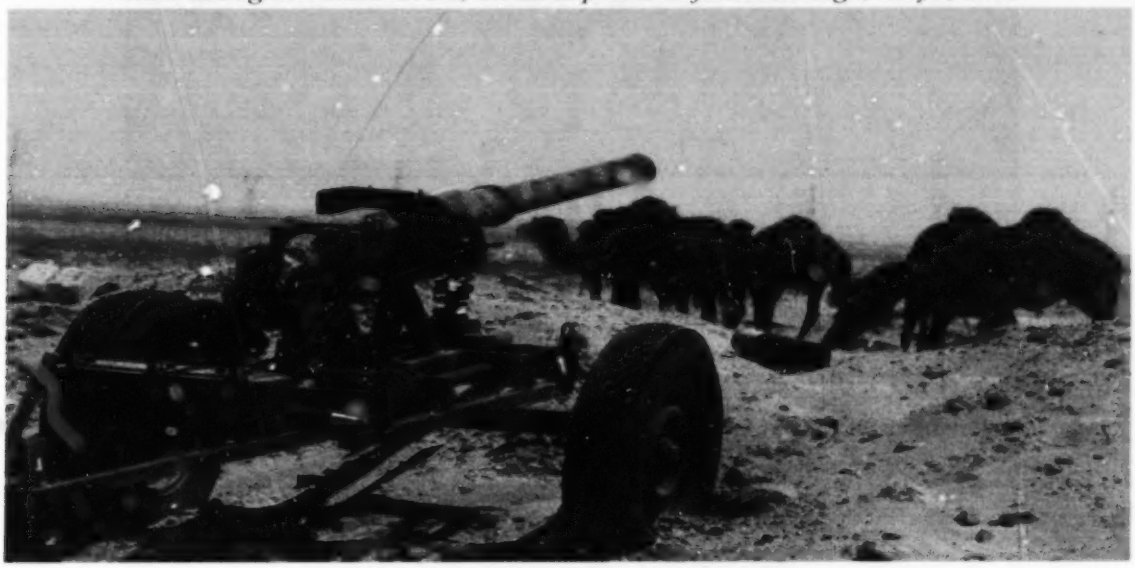
73mm gun - 2A28 Grom, Soviet-made, Bosaso, 7 December 2013

73mm gun - 2A28 Grom, Soviet-made, Bosaso, 7 December 2013



1. The Monitoring Group researched the use of the 73mm gun 2A28 Grom in other contexts of insurgency conflict, and found two cases in Libya where armed opposition groups used the 2A28 Grom on improvised mountings.

73mm tank gun - 2A28 Grom, on an improvised field carriage, Libya, 2011[1]



73mm tank gun - 2A28 Grom, on a pick-up truck mounting, Libya, 2011[2]

[1] Internet source, accessed at http://www.militaryphotos.net/forums/showthread.php?195079-Libyan-Conflict-Photos-and-Videos/page231 on 6 June 2013.

[2] Internet source, accessed at http://www.militaryphotos.net/forums/showthread.php?195079-Libyan-Conflict-Photos- and-Videos/page282 on 6 June 2013.